United Nations S/RES/2439 (2018)

Security Council

Distr.: General
30 October 2018

Resolution 2439 (2018)

Adopted by the Security Council at its 8385th meeting, on 30 October 2018

The Security Council,

Expressing grave concern about the most recent outbreak of the Ebola virus in the Democratic Republic of Congo (DRC) and the fact that this epidemic is occurring in the context of much wider humanitarian needs, in a country whose people have suffered from the recurrence of the disease, armed conflict and violence for the last few decades,

Recognizing the recurring threat of the Ebola virus in the region since it was first discovered in 1976 and *recalling* its Resolution 2177 (2014) concerning the 2014 Ebola virus outbreak in West Africa,

Recalling its determination in resolution 2409 (2018) that the situation in the DRC continues to constitute a threat to international peace and security in the region, and *expressing* concern that this security situation negatively impacts the ability to respond to and contain the outbreak of the Ebola virus,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the DRC and all States in the region, and emphasizing the need for cooperation and coordination with the DRC to address the Ebola situation, as well as with the States in the region, as appropriate,

Noting the reports presented to the Security Council on 28 August and on 3 October 2018 by the Director General of the World Health Organization (WHO),

Commending the Government of the DRC for its leadership in responding to the Ebola outbreak, particularly for providing free health care in affected health zones, as well as for its daily reporting on the status of the outbreak,

Expressing appreciation for the efforts of all humanitarian and health workers on the ground, including the WHO and its partners in the Global Outbreak Alert and Response Network, as well as all other front-line actors involved in the response effort,

Commending the United Nations Organization Stabilization Mission in the DRC (MONUSCO) for providing support to the efforts of the government of the DRC, the WHO and other actors to respond to the Ebola outbreak in an extremely challenging and dangerous environment,

Underscoring the need to address the security situation in the areas affected by the disease and condemning all attacks against civilians,

Expressing outrage and *condemning* in the strongest terms the recent attacks and the killings of two Congolese health workers attached to a Congolese army unit helping to combat the Ebola outbreak in the DRC,

Recalling resolution 2286 (2016) and urging all parties to the armed conflict to ensure full, safe, immediate and unhindered access for humanitarian personnel and medical personnel, to patients and others in need; condemning acts of violence, attacks and threats intentionally directed against medical personnel and humanitarian personnel exclusively engaged in medical duties, their means of transport and equipment, as well as hospitals and other medical facilities, exclusively fulfilling a medical or humanitarian function, as a violation of international humanitarian law; and *deploring* the long-term consequences of such attacks for the civilian population and the health-care system of the DRC,

Recalling the International Health Regulations (2005), which are contributing to global public health security by improving the capacity of all countries to detect, assess, notify and respond to public health threats, *underscoring* the importance of abiding by these commitments and *urging* Member States to follow the advice of the WHO Director General regarding the current Ebola outbreak,

Taking note of the cross-border meeting among east African countries held in Entebbe, Uganda, on 3 October 2018, which reviewed the implementation of cross-border disease surveillance activities and the status of emergency preparedness activities in districts that border the DRC and the East African Community; *noting* the need for awareness creation among district leaders in their roles in implementing the IHRs (2005), and *drawing* attention to large-scale population displacements in the region that could contribute to further spread of the Ebola virus,

Underscoring that the control of outbreaks of major infectious diseases requires urgent action and greater national, regional and international collaboration and, in this regard, *stressing* the crucial and continued need for a WHO coordinated international response in the DRC in collaboration with the Government,

Commending Member States and multilateral organizations that have provided crucial assistance, including financial commitments, technical support and in-kind donations, to support the scaling up of emergency efforts to contain the Ebola outbreak and interrupt transmission of the virus, including by providing flexible funds to relevant UN agencies and international organizations, facilitating a more rapid and effective response and enabling them and national governments to purchase supplies and enhance emergency operations in the DRC and neighbouring countries, as well as by collaborating with public and private sector partners to accelerate development of therapeutics, vaccines and diagnostics to treat patients and limit or prevent further infection or transmission,

Welcoming the efforts of the African Union (AU), through the Africa Centre for Disease Control and Prevention (Africa CDC) in providing support to the government of the DRC, WHO and its partners through a united, comprehensive and collective response to the outbreak, including through the deployment of healthcare workers to the eastern part of the DRC,

Emphasizing the role of all relevant United Nations System entities in supporting the national, regional and international efforts to respond to the Ebola outbreak, and recognizing in this regard the leading role of the WHO,

Taking note of the WHO protocols to prevent the transmission of the Ebola virus disease between individuals, organizations and populations, and *underlining* that the

Ebola outbreak can be contained, including through the implementation of established safety and health protocols and other preventive measures that have proven effective,

1. *Reiterates* its deep concern regarding the overall security and humanitarian situation in the DRC, exacerbated by destabilizing activities of foreign and domestic armed groups, recalls the strategic importance of the implementation of the Peace, Security and Cooperation (PSC) Framework for the DRC and the region, and *reiterates* its call to all signatories to fulfil their respective commitments under this Framework in order to address the root causes of conflict and put an end to recurring cycles of violence, and promote lasting regional development;

2. *Encourages* the government of the DRC, WHO, and other Ebola responders to continue to improve the transparency and accuracy of the daily reporting on the status of the outbreak;

3. *Recalls* that the Government of the DRC bears the primary responsibility to protect civilians within its territory and subject to its jurisdiction, including protection from crimes against humanity and war crimes;

4. *Expresses* serious concern regarding the security situation in the areas affected by the Ebola outbreak, which is severely hampering the response efforts and facilitating the spread of the virus in the DRC and the wider region; and *calls for* immediate cessation of hostilities by all armed groups, including the Allied Democratic Forces (ADF);

5. *Condemns* in the strongest terms all attacks by armed groups, including those posing serious security risks for responders and jeopardizing the response to the Ebola outbreak;

6. *Demands* that all parties to the armed conflict fully respect international law, including, as applicable, international human rights law and international humanitarian law, including their obligations under the Geneva Conventions of 1949 and the obligations applicable to them under the Additional Protocols thereto of 1977 and 2005, and *further demands* that all parties ensure full, safe, immediate and unhindered access for humanitarian and medical personnel, and their equipment, transport and supplies to the affected areas, and to respect and protect all civilians, including those in the region who are at risk of Ebola, and humanitarian and health workers; *stresses* that humanitarian response teams and hospitals and other medical facilities providing life-saving assistance and relief to those in need must be respected and protected, and that they must not be a target, in accordance with international law;

7. *Notes* the important positive role of MONUSCO, within its existing mandate, in supporting the efforts of the government of the DRC, the WHO and other actors to bring the Ebola outbreak successfully under control and in ensuring, within its area of operations, effective protection of civilians;

8. *Emphasizes* the need for the Government of the DRC, and all relevant actors providing assistance in response to the Ebola outbreak, to enhance efforts to communicate to the public, as well as to implement, the established safety and health protocols and preventive measures to mitigate against misinformation and undue alarm about the transmission and extent of the outbreak among and between individuals and communities; *underscores* the need to enhance community engagement working closely with religious leaders, youth and women's groups and with the families themselves, including in the context of resumed humanitarian assistance efforts;

9. *Emphasizes* that men and women are affected differently by the Ebola outbreak and underlines that a gender-sensitive response that addresses the specific

needs of both men and women is required, and *stresses* the importance of the full, active and meaningful engagement of women in the development of such responses;

10. *Stresses* the need for continuous and improved surveillance of those who have been in contact with infected people as well as the need for following-up with Ebola survivors, ensuring they are clinically monitored to prevent any delayed clinical manifestations and the risk of sexual transmission of Ebola; *underlines* the need to provide Ebola survivors with psychological and social support to help them face and overcome possible stigmatization;

11. *Takes note* of WHO's latest assessment of the risk of regional spread and expresses great concern about the potential for the virus to spread into Uganda, Rwanda, South Sudan and Burundi and encourages those governments to continue efforts to prepare for operational readiness, in full cooperation with WHO;

12. *Emphasizes* the importance of maintaining international support and engagement — financially, technically and in-kind — to bring the Ebola outbreak successfully under control; stresses in this context the importance of flexible financial support for the response efforts, enabling a more rapid and effective response, a*lso expresses* concern that the overall humanitarian appeal for the DRC remains severely underfunded;

13. *Encourages* the Government of the DRC and countries of the region to continue efforts to address and resolve the wider political, security, socioeconomic and humanitarian consequences of the Ebola outbreak, as well as to provide sustainable and responsive public health mechanisms;

14. *Requests* all relevant parts of the United Nations System to accelerate their response to the Ebola outbreak, within the overall coordination of WHO, including by supporting the development and implementation of preparedness and operational plans and liaison and collaboration with governments of the region and those providing assistance;

15. *Stresses* the need for the international community to remain engaged in supporting the strengthening of national health systems, in line with the needs of the government of DRC, which are instrumental in preventing a deterioration of the present crisis or addressing a future recurrence;

16. *Welcomes* action and results of the WHO Health Emergencies Programme and *encourages* the WHO and the whole UN system to build on and benefit from the lessons learned from the Ebola virus outbreak in West Africa in 2014, and to continue to further strengthen its technical leadership and operational support, monitor Ebola transmission, assist in identifying existing response needs and partners to meet those needs to facilitate the availability of essential data and hasten the development and implementation of therapies and vaccines according to best clinical and ethical practices;

17. *Decides* to remain seized of the matter.

United Nations S/RES/2440 (2018)

Security Council

Distr.: General
31 October 2018

Resolution 2440 (2018)

Adopted by the Security Council at its 8387th meeting, on 31 October 2018

The Security Council,

Recalling and *reaffirming* all its previous resolutions on Western Sahara,

Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy to implement resolutions 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009), 1920 (2010), 1979 (2011), 2044 (2012), 2099 (2013), 2152 (2014), 2218 (2015), 2285 (2016), 2351 (2017), and 2414 (2018),

Expressing full support for the Secretary-General's Personal Envoy for Western Sahara, former President Horst Köhler of Germany, and *welcoming* the engagement of the parties and neighboring states with him in his efforts to facilitate direct negotiations,

Welcoming the decision by the Personal Envoy to hold an initial roundtable meeting in Geneva on December 5–6, 2018, to take stock of recent developments, address regional issues, and discuss the next steps in the political process on Western Sahara,

Further welcoming the decisions of Morocco, the Frente Polisario, Algeria and Mauritania to accept the invitation of the Personal Envoy to participate in a roundtable meeting in Geneva on December 5–6, 2018, without preconditions and in good faith, and *welcoming* consultations between the Personal Envoy and Morocco, the Frente Polisario, Algeria and Mauritania in this regard,

Reaffirming its commitment to assist the parties to achieve a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and *noting* the role and responsibilities of the parties in this respect,

Reiterating its call upon the parties and the neighboring states to cooperate more fully with the United Nations and with each other, to strengthen their involvement in the political process and to achieve progress towards a political solution,

Recognizing that achieving a political solution to this long-standing dispute and enhanced cooperation between the Member States of the Maghreb Arab Union would contribute to stability and security, in turn leading to jobs, growth and opportunities for all the peoples in the Sahel region,

Welcoming the efforts of the Secretary General to keep all peacekeeping operations, including the United Nations Mission for the Referendum in Western

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Sahara (MINURSO), under close review and reiterating the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments, and effective management of resources,

Recalling its request of the Secretary-General to ensure that data related to the effectiveness of peacekeeping operations, including peacekeeping performance data, is used to improve analytics and the evaluation of mission operations, based on clear and well identified benchmarks, and *emphasizing* the need to regularly evaluate MINURSO's performance such that the mission retains the skills and flexibility needed to effectively carry out its mandate,

Recalling resolution 2242 (2015) and its aspiration to increase the number of women in military and police contingents of United Nations peacekeeping operations,

Recognizing the important role played by MINURSO on the ground and the need for it to fully implement its mandate, including its role in supporting the Personal Envoy to achieve a mutually acceptable political solution, and *welcoming* the Personal Envoy's visit to MINURSO headquarters and Western Sahara,

Expressing concern about the violations of existing agreements, and in this regard *welcoming* the Secretary-General's assessment on 3 October 2018 that no major threats to the ceasefire have been recorded,

Taking note of the assurances provided by the Frente Polisario to the Personal Envoy not to move administrative structures to the territory as well as its commitment to fulfill its obligations with respect to the buffer strip at Guerguerat, in line with resolution 2414 (2018), and *recognizing* that full adherence by the Frente Polisario to these commitments will help sustain momentum in the political process,

Taking note of the Moroccan proposal presented on 11 April 2007 to the Secretary-General and *welcoming* serious and credible Moroccan efforts to move the process forward towards resolution; also *taking note* of the Polisario Front proposal presented 10 April 2007 to the Secretary-General,

Encouraging in this context, the parties to demonstrate further political will towards a solution including by expanding upon their discussion of each other's proposals and recommitting to UN efforts in a spirit of realism and compromise, and *further encouraging* the neighboring countries to make contributions to the political process,

Encouraging the parties to cooperate further with the United Nations Office of the High Commissioner for Refugees in identifying and implementing confidence-building measures that can ser e to foster the trust necessary for a successful political process,

Stressing the importance of improving the human rights situation in Western Sahara and the Tindouf camps, and *encouraging* the parties to work with the international community to develop and implement independent and credible measures to ensure full respect for human rights, bearing in mind their relevant obligations under international law,

Encouraging the parties to continue in their respective efforts to enhance the promotion and protection of human rights in Western Sahara and the Tindouf refugee camps, including the freedoms of expression and association,

Welcoming in this regard, steps and initiatives taken by Morocco, and the role played by the National Council on Human Rights Commissions operating in Dakhla and Laayoune, and Morocco's interaction with Special Procedures of the United Nations Human Rights Council,

Strongly encouraging enhancing cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR), including through facilitating visits to the region,

Noting with deep concern the continued hardships faced by Sahrawi refugees and their dependency on external humanitarian assistance, and *further noting with deep concern* insufficient funding for those living in Tindouf refugee camps and the risks associated with the reduction of food assistance,

Reiterating its request for consideration of a refugee registration in the Tindouf refugee camps and *emphasizing* efforts be made in this regard,

Recalling United Nations Security Council resolutions 1325 and 2250 and related resolutions; *stressing* the importance of a commitment by the parties to continue the process of negotiations through the United Nations-sponsored talks and *encouraging* the full, effective and meaningful participation of women and active and meaningful participation of youth in these talks,

Recognizing that the status quo is not acceptable, and *noting further* that progress in negotiations is essential in order to improve the quality of life of the people of Western Sahara in all its aspects,

Affirming its full support for Special Representative of the Secretary-General for Western Sahara and Head of MINURSO Colin Stewart,

Having considered the report of the Secretary-General of 3 October 2018 (S/2018/889),

1. *Decides* to extend the mandate of MINURSO until 30 April 2019;

2. *Emphasizes* the need to achieve a realistic, practicable and enduring political solution to the question of Western Sahara based on compromise and the importance of aligning the strategic focus of MINURSO and orienting resources of the United Nations to this end;

3. *Expresses* its full support for the intention of the Secretary-General and his Personal Envoy to initiate a renewed negotiations process before the end of 2018; *notes* that invitations to an initial roundtable meeting in Geneva on 5 and 6 December 2018 were sent on 28 September 2018, *welcomes* that Morocco, the Frente Polisario, Algeria, and Mauritania have responded positively, and *encourages* them to work constructively with the Personal Envoy, in the spirit of compromise, throughout the duration of this process to ensure a successful outcome;

4. *Calls upon* the parties to resume negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments with a view to achieving a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect;

5. *Invites* Member States to lend appropriate assistance to these talks;

6. *Reaffirms* the need for full respect of the military agreements reached with MINURSO with regard to the ceasefire and *calls on* the parties to adhere fully to those agreements;

7. *Calls upon* the parties to respect their relevant obligations and assurances, and refrain from any actions that could undermine UN-facilitated negotiations or further destabilize the situation in the Western Sahara, and *further calls* on the Frente Polisario to fully adhere to its commitments to the Personal Envoy with respect to Bir Lahlou, Tifariti, and the buffer strip at Guerguerat;

8. *Calls upon* all parties to cooperate fully with the operations of MINURSO, including its free interaction with all interlocutors, and to take the necessary steps to

ensure the security of as well as unhindered movement and immediate access for the United Nations and associated personnel in carrying out their mandate, in conformity with existing agreements;

9. *Emphasizes* the importance of a renewed commitment by the parties to advancing the political process in preparation for a fifth round of negotiations, *recalls* its endorsement of the recommendation in the report of 14 April 2008 (S/2008/251) that realism and a spirit of compromise by the parties are essential to achieve progress in negotiations, and *encourages* the neighboring countries to make important, active contributions to this process;

10. *Calls upon* the parties to show political will and work in an atmosphere propitious for dialogue in order to advance negotiations, thus ensuring implementation of resolutions 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009), 1920 (2010), 1979 (2011), 2044 (2012), 2099 (2013), 2152 (2014), 2218 (2015), 2285 (2016), 2351 (2017), and 2414 (2018) and the success of negotiations;

11. *Requests* the Secretary-General to brief the Security Council on a regular basis, and at any time he deems appropriate during the mandate period, to include within three months of this mandate's renewal and again prior to its expiration, on the status and progress of these negotiations under his auspices, on the implementation of this resolution, challenges to MINURSO's operations and steps taken to address them, *expresses its intention* to meet to receive and discuss his briefings and in this regard, *further requests* the Secretary-General to provide a report on the situation in Western Sahara well before the end of the mandate period;

12. *Reaffirms* its support for the development of a comprehensive and integrated performance policy framework that identifies clear standards of performance for evaluating all United Nations civilian and uniformed personnel working in and supporting peacekeeping operations, and calls on the United Nations to apply this framework to MINURSO, *requests* the Secretary-General to seek to increase the number of women in MINURSO, as well as to ensure the meaningful participation of women in all aspects of operations;

13. *Urges* the parties and neighboring states to engage productively with MINURSO as it further considers how new technologies can be used to reduce risk, improve force protection, and better implement its mandate;

14. *Encourages* the parties to cooperate with the Office of the United Nations High Commissioner for Refugees to identify and implement confidence-building measures, including to engage women and youth, and *encourages* neighboring states to support these efforts;

15. *Urges* Member States to provide new and additional voluntary contributions to fund food programmes to ensure that the humanitarian needs of refugees are adequately addressed and avoid reductions in food rations;

16. *Requests* the Secretary-General to continue to take all necessary measures to ensure full compliance in MINURSO with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take preventive action including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

17. *Decides* to remain seized of the matter.

United Nations S/RES/2441 (2018)

Security Council

Distr.: General
5 November 2018

Resolution 2441 (2018)

Adopted by the Security Council at its 8389th meeting, on 5 November 2018

The Security Council,

Recalling the arms embargo, travel ban, assets freeze and measures concerning illicit oil exports which were imposed and modified by resolutions 1970 (2011), 1973 (2011), 2009 (2011), 2040 (2012), 2095 (2013), 2144 (2014), 2146 (2014), 2174 (2014), 2213 (2015), 2278 (2016), 2292 (2016), 2357 (2017), 2362 (2018), 2420 (2018) (the Measures), and that the mandate of the Panel of Experts established by paragraph 24 of resolution 1973 (2011) and modified by resolutions 2040 (2012), 2146 (2014), 2174 (2014), 2213 (2015) and 2278 (2016) was extended until 15 November 2018 by resolution 2362 (2017),

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Recalling resolution 2259 (2015) which welcomed the signing of the 17 December 2015 Libyan Political Agreement of Skhirat, Morocco and endorsed the Rome Communiqué of 13 December 2015 to support the Government of National Accord (GNA) as the sole legitimate government of Libya, that should be based in Tripoli, and *further expressing* its determination in this regard to support the Government of National Accord,

Welcoming endorsement in principle of the Libyan Political Agreement (LPA) by the House of Representatives on 25 January 2016 and the subsequent meetings of the Libyan Political dialogue which reaffirmed its commitment to uphold the LPA, and *reaffirming* that the LPA remains the only viable framework to end the Libyan political crisis, and its implementation remains key to holding elections and finalising the political transition,

Underlining the primary responsibility of the GNA in taking appropriate action to prevent the illicit export of petroleum, including crude oil and refined petroleum products, from Libya and *reaffirming* the importance of international support for Libyan sovereignty over its territory and resources,

Expressing its concern that the illicit export of petroleum, including crude oil and refined petroleum products, from Libya undermines the Government of National Accord and poses a threat to the peace, security and stability of Libya,

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Expressing support for Libyan efforts to resolve peacefully the disruptions of Libya's energy exports and *reiterating* that control of all facilities should be transferred back to the proper authorities,

Further reiterating its concern about activities which could damage the integrity and unity of Libyan State financial institutions and the National Oil Corporation (NOC), *recalling* events in the Oil Crescent and the Security Council's Press Statement of 19 July 2018 welcoming the announcement that Libya's NOC had resumed its work on behalf, and for the benefit, of all Libyans, and *stressing* the need for the Government of National Accord to exercise sole and effective oversight over the National Oil Corporation, the Central Bank of Libya, and the Libyan Investment Authority as a matter of urgency, without prejudice to future constitutional arrangements pursuant to the Libyan Political Agreement,

Further recalling resolution 2259 (2015) which called on Member States to cease support to and official contact with parallel institutions claiming to be the legitimate authority, but which were outside the Libyan Political Agreement, as specified by it,

Recalling that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982, sets out the legal framework applicable to activities in the oceans and seas,

Further recalling resolutions 2292 (2016), 2357 (2017) and 2420 (2018) which in relation to the implementation of the arms embargo authorise, for the period of time specified by those resolutions, the inspection on the high seas off the coast of Libya of vessels bound to or from Libya believed to be carrying arms or related materiel in violation of relevant Security Council resolutions, and the seizure and disposal of such items provided that Member States make good faith efforts to first obtain the consent of the vessel's flag State prior to any inspections while acting in accordance with those resolutions,

Reaffirming the importance of holding accountable those responsible for violations or abuses of human rights or violations of international humanitarian law, including those involved in attacks targeting civilians and stressing the need to transfer detainees to State authority,

Reiterating its expression of support for the Government of National Accord, as stated in paragraph 3 of resolution 2259 (2015), and *noting* in this regard the specific requests made to the Government of National Accord in this resolution,

Reiterating its request that all Member States fully support the efforts of the Special Representative of the Secretary-General and work with the Libyan authorities and United Nations Support Mission in Libya (UNSMIL) to develop a coordinated package of support to build the capacity of the Government of National Accord, in line with Libyan priorities and in response to requests for assistance,

Determining that the situation in Libya continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

Prevention of Illicit Exports of Petroleum, including Crude Oil and Refined Petroleum Products

1. *Condemns* attempts to illicitly export petroleum, including crude oil and refined petroleum products, from Libya, including by parallel institutions which are not acting under the authority of the Government of National Accord;

2. *Decides* to extend until 15 February 2020 the authorizations provided by and the measures imposed by resolution 2146 (2014), and *decides further* that the authorisations provided by and the measures imposed by that resolution shall apply with respect to vessels loading, transporting, or discharging petroleum, including crude oil and refined petroleum products, illicitly exported or attempted to be exported from Libya;

3. *Welcomes* the appointment by the Government of National Accord and notification to the Committee established pursuant to paragraph 24 of resolution 1970 (2011) (the Committee) of a focal point responsible for communication with the Committee with respect to the measures in resolution 2146 (2014), *requests* the focal point to continue to inform the Committee of any vessels transporting petroleum, including crude oil and refined petroleum products, illicitly exported from Libya, and *urges* the Government of National Accord to work closely with the National Oil Company in that regard, and to provide regular updates to inform the Committee on ports, oil fields, and installations that are under its control, and to inform the Committee about the mechanism used to certify legal exports of petroleum, including crude oil and refined petroleum products;

4. *Calls* on the Government of National Accord, on the basis of any information regarding such exports or attempted exports, to expeditiously contact the concerned vessel's flag State, in the first instance, to resolve the issue and *directs* the Committee to immediately inform all relevant Member States about notifications to the Committee from the Government of National Accord's focal point regarding vessels transporting petroleum, including crude oil and refined petroleum products, illicitly exported from Libya;

Effective Oversight of the Financial Institutions

5. *Requests* that the Government of National Accord confirm to the Committee as soon as it exercises sole and effective oversight over the National Oil Corporation, the Central Bank of Libya, and the Libyan Investment Authority;

Arms Embargo

6. *Welcomes* the appointment by the Government of National Accord of a focal point pursuant to paragraph 6 of resolution 2278, *takes note* of the briefing provided by the focal point to the Committee on the structure of the security forces under its control, the infrastructure in place to ensure the safe storage, registration, maintenance and distribution of military equipment by the Government security forces, and training needs, *continues* to emphasise the importance of the Government of National Accord exercising control over and safely storing arms, with the support of the international community, and *stresses* that ensuring security and defending Libya from terrorism must be the task of unified and strengthened national security forces under the sole authority of the Government of National Accord within the framework of the Libyan Political Agreement;

7. *Affirms* that the Government of National Accord may submit requests under paragraph 8 of resolution 2174 (2014) for the supply, sale or transfer of arms and related materiel, including related ammunition and spare parts, for the use by security forces under its control to combat the Islamic State in Iraq and the Levant (ISIL, also known as Da'esh), groups that have pledged allegiance to ISIL, Al-Qaida, Ansar Al Sharia, and other associated groups operating in Libya, *calls* upon the Committee to consider expeditiously such requests, and *affirms* the Security Council's readiness to consider reviewing the arms embargo, when appropriate;

8. *Urges* Member States to assist the Government of National Accord, upon its request, by providing it with the necessary security and capacity-building

assistance, in response to threats to Libyan security and in defeating ISIL, groups that have pledged allegiance to ISIL, Al-Qaida, Ansar Al Sharia, and other associated groups operating in Libya;

9. *Urges* the Government of National Accord to improve further the monitoring and control of arms or related materiel that are supplied, sold or transferred to Libya in accordance with paragraph 9 (c) of resolution 1970 (2011) or paragraph 8 of resolution 2174 (2014), including through the use of end user certificates issued by the Government of National Accord, *requests* the Panel of Experts established by paragraph 24 of resolution 1973 (2011) to consult with the Government of National Accord about the safeguards needed to safely procure and secure arms and related materiel, and *urges* Member States and regional organizations to provide assistance to the Government of National Accord upon its request to strengthen the infrastructure and mechanisms currently in place to do so;

10. *Calls upon* the Government of National Accord to improve the implementation of the arms embargo, including at all entry points, as soon as it exercises oversight, and *calls* upon all Member States to cooperate in such efforts;

Travel Ban and Asset Freeze

11. *Reaffirms* that the travel ban and asset freeze measures specified in paragraphs 15, 16, 17, 19, 20 and 21 of resolution 1970 (2011), as modified by paragraphs 14, 15 and 16 of resolution 2009 (2011) paragraph 11 of resolution 2213 (2015) and paragraph 11 of resolution 2362 (2017), apply to individuals and entities designated under that resolution and under resolution 1973 (2011) and by the Committee established pursuant to paragraph 24 of resolution 1970 (2011), and *reaffirms* that these measures also apply to individuals and entities determined by the Committee to be engaging in or providing support for other acts that threaten the peace, stability or security of Libya, or obstruct or undermine the successful completion of its political transition, and *reaffirms* that, in addition to the acts listed in paragraph 11 (a)-(f) of resolution 2213 (2015), such acts may also include but are not limited to planning, directing, sponsoring, or participating in attacks against United Nations personnel, including members of the Panel of Experts established by paragraph 24 of resolution 1973 (2011) and modified by resolutions 2040 (2012), 2146 (2014), 2174 (2014), 2213 (2015) and this resolution (the Panel) and *decides* that such acts may also include but are not limited to planning, directing or committing acts involving sexual and gender-based violence;

12. *Calls* on Member States, particularly those in which designated individuals and entities are based as well as those in which their assets frozen under the measures are suspected to be present, to report to the Committee on the actions they have taken to implement effectively the travel ban and asset freeze measures in relation to all individuals on the sanctions list, including those designated by the Committee on 7 June 2018 and 11 September 2018;

13. *Reaffirms* its intention to ensure that assets frozen pursuant to paragraph 17 of resolution 1970 (2011) shall at a later stage be made available to and for the benefit of the Libyan people and taking note of the letter circulated as document S/2016/275, *affirms* the Security Council's readiness to consider changes, when appropriate, to the asset freeze at the request of the Government of National Accord;

Panel of Experts

14. *Decides* to extend until 15 February 2020 the mandate of the Panel of Experts (the Panel), established by paragraph 24 of resolution 1973 (2011) and modified by resolutions 2040 (2012), 2146 (2014), 2174 (2014), and 2213 (2015), *decides* that the Panel's mandated tasks shall remain as defined in resolution 2213

(2015) and shall also apply with respect to the Measures updated in this resolution and requests the Panel of experts to include the necessary sexual and gender-based violence expertise, in line with paragraph 6 of resolution 2242 (2015);

15. *Decides* that the Panel shall provide to the Council an interim report on its work no later than 15 June 2019, and a final report to the Council, after discussion with the Committee, no later than 15 December 2019 with its findings and recommendations;

16. *Urges* all States, relevant United Nations bodies, including UNSMIL, and other interested parties, to cooperate fully with the Committee and the Panel, in particular by supplying any information at their disposal on the implementation of the Measures decided in resolutions 1970 (2011), 1973 (2011), 2146 (2014) and 2174 (2014), and modified in resolutions 2009 (2011), 2040 (2012), 2095 (2013), 2144 (2014), 2213 (2015), 2278 (2016), 2292 (2016), 2357 (2017), 2362 (2017), 2420 (2018) and in this resolution, in particular incidents of non-compliance, and *calls* on UNSMIL and the Government of National Accord to support Panel investigatory work inside Libya, including by sharing information, facilitating transit and granting access to weapons storage facilities, as appropriate;

17. *Calls* upon all parties and all States to ensure the safety of the Panel's members, and further *calls* upon all parties and all States, including Libya and countries of the region, to provide unhindered and immediate access, in particular to persons, documents and sites the Panel deems relevant to the execution of its mandate;

18. *Affirms* its readiness to review the appropriateness of the Measures contained in this resolution, including the strengthening, modification, suspension or lifting of the Measures, and its readiness to review the mandate of UNSMIL and the Panel, as may be needed at any time in light of developments in Libya;

19. *Decides* to remain actively seized of the matter.

United Nations S/RES/2442 (2018)

Security Council

Distr.: General
6 November 2018

Resolution 2442 (2018)

Adopted by the Security Council at its 8391st meeting, on 6 November 2018

The Security Council,

Recognizing that 2018 marks the 10th anniversary of resolution 1816 on the situation with respect to piracy and armed robbery at sea off the coast of Somalia and recalling its previous resolutions concerning the situation in Somalia, especially resolutions 1814 (2008), 1816 (2008), 1838 (2008), 1844 (2008), 1846 (2008), 1851 (2008), 1897 (2009), 1918 (2010), 1950 (2010), 1976 (2011), 2015 (2011), 2020 (2011), 2077 (2012), 2125 (2013), 2184 (2014), 2246 (2015) and 2316 (2016) and 2383 (2017) as well as the Statements of its President (S/PRST/2010/16) of 25 August 2010 and (S/PRST/2012/24) of 19 November 2012,

Welcoming the report of the Secretary-General (S/2018/903), as requested by resolution 2383 (2017), on the implementation of that resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia,

Reaffirming its respect for the sovereignty, territorial integrity, political independence, and unity of Somalia, including Somalia's sovereign rights in accordance with international law, with respect to offshore natural resources, including fisheries,

Noting that the joint counter-piracy efforts of States, regions, organizations, the maritime industry, the private sector, think tanks, and civil society have resulted in a steady decline in pirate attacks as well as hijackings since 2011, with no successful ship hijackings reported off the coast of Somalia since March 2017 however, *recognizing* the ongoing threat that resurgent piracy and armed robbery at sea poses to the prompt, safe, and effective delivery of humanitarian aid to Somalia and the region, to the safety of seafarers and other persons, to international navigation and the safety of commercial maritime routes, and to other ships, including fishing vessels operating in conformity with international law, *commending* countries that have deployed naval forces in the Gulf of Aden and the Somali Basin to dissuade piracy networks from carrying out acts of piracy,

Welcoming the reinstatement of the Somali Maritime Security Coordination Committee (MSCC) meeting held from 9 to 10 July 2018 between the Federal Government of Somalia, Federal Member States and international partners which called for enhanced cooperation in strengthening Somalia's maritime security as a key priority for both the Federal Government of Somalia and Federal Member States and urged the National Security Council to agree on a delineation of roles of the

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Somali maritime forces, as required by the Transition Plan and recognizing the importance of engaging in transition planning,

Further reaffirming that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 ("The Convention"), sets out the legal framework applicable to activities in the ocean, including countering piracy and armed robbery at sea,

Recognizing the need to investigate and prosecute not only suspects captured at sea, but also anyone who incites or intentionally facilitates piracy operations, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attacks, and *reiterating* its concern over persons suspected of piracy having been released without facing justice, reaffirming that the failure to prosecute persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia undermines anti-piracy efforts,

Noting with concern that the continuing limited capacity and domestic legislation to facilitate the custody and prosecution of suspected pirates after their capture has hindered more robust international action against pirates off the coast of Somalia, which has led to pirates in many cases being released without facing justice, regardless of whether there is sufficient evidence to support prosecution, and reiterating that, consistent with the provisions of The Convention concerning the repression of piracy, the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation ("SUA Convention") provides for parties to create criminal offences, establish jurisdiction, and accept delivery of persons responsible for, or suspected of seizing, or exercising control over, a ship by force or threat thereof, or any other form of intimidation,

Underlining the primary responsibility of the Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, noting the several requests from Somali authorities for international assistance to counter piracy off its coast, including the letter of 25 October 2018, from the Permanent Representative of the Permanent Mission of Somalia to the United Nations *expressing* the appreciation of Somali authorities to the Security Council for its assistance, expressing their willingness to consider working with other States and regional organizations to combat piracy and armed robbery at sea off the coast of Somalia, asking member states and international organizations to support the Federal Government of Somalia in its efforts to address illegal, unreported, and unregulated fishing in its Exclusive Economic Zone, and *requesting* that the provisions of resolution 2385 (2017) be renewed for an additional 12 months,

Welcoming the participation of the Federal Government of Somalia and regional partners in the 21st plenary session of the Contact Group on Piracy off the Coast of Somalia (CGPCS) in Nairobi, Kenya, 11–13 July 2018, co-hosted by the Indian Ocean Commission under the Chairmanship of Mauritius,

Recognizing the work of the CGPCS and the Law Enforcement Task Force to facilitate the prosecution of suspected pirates, and the intentions of the Regional Capacity Building Working Group to identify regional priorities and coordination of capacity-building activities and regional responsibilities,

Noting the progress made to enhance Somali capacity building through the National Maritime Coordination Committee (NMCC) to assess maritime priorities between the Federal Government of Somalia and Federal Member States,

Welcoming the financing provided by the Trust Fund to Support Initiatives of States Combating Piracy off the Coast of Somalia (the Trust Fund) to strengthen regional ability to prosecute suspected pirates and imprison those convicted in accordance with applicable international human rights law, *noting* with appreciation

the assistance provided by the United Nations Office of Drugs and Crime (UNODC) Maritime Crime Programme, and being determined to continue efforts to ensure that pirates are held accountable,

Commending the efforts of the European Union Naval Forces (EUNAVFOR) Operation ATALANTA and EUCAP Somalia, Combined Maritime Forces' Combined Task Force 151, the counter-piracy activities of the African Union onshore in Somalia and other States acting in a national capacity in cooperation with Somali authorities and each other to suppress piracy and to protect ships transiting through the waters off the coast of Somalia, and *welcoming* the Shared Awareness and Deconfliction Initiative (SHADE) and the efforts of individual countries, including China, India, the Islamic Republic of Iran, Japan, the Republic of Korea, and the Russian Federation, which have deployed naval counter-piracy missions in the region,

Noting the efforts of flag States for taking measures to permit vessels sailing under their flag transiting the High Risk Area (HRA) to embark vessel protection detachments and privately contracted armed security personnel (PCASP), and to allow charters that favour arrangements that make use of such measures, while urging States to regulate such activities in accordance with applicable international law,

Welcoming and encouraging the capacity-building efforts in the region made by the International Maritime Organization (IMO) funded Djibouti Code of Conduct, the Trust Fund and the European Union's activities under the EU Capacity Building Mission in Somalia (EUCAP Somalia) which assists Somalia in strengthening its maritime security capacity in order to enable it to enforce maritime law more effectively, and *recognizing* the need for all engaged international and regional organizations to coordinate and cooperate fully,

Supporting the development of a coastguard at the federal level and coastguard police at the Federal Member State level, *noting* with appreciation the efforts made by the IMO and the shipping industry to develop and update guidance, best management practices, and recommendations to assist ships to prevent and suppress piracy attacks off the coast of Somalia, including in the Gulf of Aden, and in relevant parts of the Indian Ocean that are still within the High Risk Area and *recognizing* the work of the IMO and the CGPCS in this regard, *noting* the efforts of the International Organization for Standardization, which has developed industry standards of training and certification for Private Maritime Security Companies when providing PCASP on board ships in high-risk areas, and further welcoming the European Union's EUCAP Somalia, which is working to develop the maritime security capacities of Somalia,

Underlining the importance of continuing to enhance the collection, preservation, and transmission to competent authorities of evidence of acts of piracy and armed robbery at sea off the coast of Somalia, and *welcoming* the ongoing work of the IMO, INTERPOL, and industry groups to develop guidance to seafarers on preservation of crime scenes following acts of piracy, and *noting* the importance of enabling seafarers to give evidence in criminal proceedings to prosecute acts of piracy,

Further recognizing that pirate networks continue to rely on kidnapping and hostage-taking to help generate funding to purchase weapons, gain recruits, and continue their operational activities, thereby jeopardizing the safety and security of civilians and restricting the flow of commerce, and *welcoming* international efforts to coordinate the work of investigators and prosecutors, inter alia, through the Law Enforcement Task Force and collect and share information to disrupt the pirate enterprise, as exemplified by INTERPOL's Global Database on Maritime Piracy, and *commending* the establishment of the Maritime Information Fusion Centre (RMIFC) in Madagascar, the sister centre of the Regional Centre for Operational Coordination

(RCOC) in Seychelles following the signing of the Regional Agreement for the Setting up of a Regional Maritime Information Exchange and Sharing Mechanism in the Western Indian Ocean by Djibouti, Madagascar, Mauritius, Union of Comoros and Seychelles , including the establishment of the Piracy Prosecution Readiness Plan which, under the auspices of UNODC and in partnership with EU NAVFOR, will further develop the region's capacity to conduct piracy prosecutions,

Reaffirming international condemnation of acts of kidnapping and hostage-taking, including offences contained within the International Convention against the Taking of Hostages, strongly *condemning* the continuing practice of hostage-taking by pirates operating off the coast of Somalia, *expressing* serious concern at the inhumane conditions hostages face in captivity, *recognizing* the adverse impact on their families, *calling* for the immediate release of all remaining hostages, and *noting* the importance of cooperation between Member States on the issue of hostage-taking and the prosecution of suspected pirates for taking hostages,

Commending Kenya, Mauritius, Seychelles, and Tanzania, for their efforts to prosecute suspected pirates in their national courts, and *noting* with appreciation the assistance provided by the UNODC Maritime Crime Programme, the Trust Fund, and other international organizations and donors, in coordination with the CGPCS, to support Kenya, Mauritius, Seychelles, Tanzania, Somalia, and other States in the region with their efforts to prosecute, or incarcerate in a third State after prosecution elsewhere, pirates, including facilitators and financiers ashore, consistent with applicable international human rights law, and *emphasizing* the need for States and international organizations to further enhance international efforts in this regard,

Welcoming the readiness of the Federal Government of Somalia and Federal Member States to cooperate with each other and with States who have prosecuted suspected pirates with a view to enabling convicted pirates to be repatriated back to Somalia under suitable prisoner transfer arrangements, consistent with applicable international law, including international human rights law, and *acknowledging* the return from Seychelles to Somalia of convicted prisoners willing and eligible to serve their sentences in Somalia, and *noting* that the sentences served must be those passed by the courts of the prosecuting states and that any proposal to vary the sentences must be in conformity with the 2011 Transfer Agreement with the Seychelles,

Welcoming the work of the Maritime Security Coordination Committee (MSCC), the central mechanism for developing capability and identifying and channelling support, as highlighted at the London Somalia Conference in May 2017, and *encouraging* the Somali national and regional administrations to take increasing responsibility for counter-piracy initiatives,

Expressing serious concern over reports of illegal, unreported and unregulated fishing (IUU) in Somalia's Exclusive Economic Zone (EEZ), and *noting* the complex relationship between IUU fishing and piracy, *recognizing* that IUU fishing accounts for millions of dollars in lost revenue for Somalia each year, and can contribute to destabilization among coastal communities,

Noting Somalia's accession to the FAO's Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, *recognizing* the projects supported by FAO and UNODC aimed at enhancing Somalia's capacity to combat such activities, and *stressing* the need for States and international organizations to further intensify their support to the Federal Government of Somalia, at its request, in enhancing Somalia's capacity to combat such activities,

Recognizing the ongoing efforts of the Federal Government of Somalia towards the development of a legal regime for the distribution of fishing licences, *commending*

in this regard the implementation of a component of the EU-funded Programme to Promote Regional Maritime Security (CCAP) with FAO aims to promote proper and transparent licensed and regulated fishing with regional states, and *encouraging* further efforts in this regard, with the support of the international community,

Recalling the reports of the Secretary General which illustrate the seriousness of piracy and armed robbery at sea off the coast of Somalia and provide useful guidance for the investigation and prosecution of pirates, including on specialized anti-piracy courts,

Remaining concerned that four-Iranian seafarers from the FV Siraj remain as hostages inside Somalia in appalling conditions, and *welcoming* the work of International Seafarers Welfare and Assistance Network (ISWAN) and Maritime Piracy Humanitarian Response Programme (MPHRP) in the provision of post trauma intervention and financial support to victims of piracy and their families; as well as the CGPCS Piracy Survivors Family Fund (PSFF), which provides funds for the survivors of Somali piracy, and for their families, to provide a range of support during and after captivity and recognizing the need to continue supporting these initiatives and contributions to funds,

Recognizing the progress made by the CGPCS and UNODC in the use of public information tools to raise awareness of the dangers of piracy and highlight the best practices to eradicate this criminal phenomenon,

Noting efforts by UNODC and UNDP and the funding provided by the Trust Fund, the European Union, the United Kingdom, the United States, and other donors to develop regional judicial and law enforcement capacity to investigate, arrest, and prosecute suspected pirates and to incarcerate convicted pirates consistent with applicable international human rights law,

Bearing in mind the Djibouti Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden, *noting* the operations of information-sharing centres in, Kenya, and Tanzania, *recognizing* the efforts of signatory States to develop the appropriate regulatory and legislative frameworks to combat piracy, enhance their capacity to patrol the waters of the region, interdict suspect vessels, and prosecute suspected pirates,

Emphasizing that peace and stability within Somalia, the strengthening of State institutions, economic and social development, and respect for human rights and the rule of law are necessary to create the conditions for a durable eradication of piracy and armed robbery at sea off the coast of Somalia, and further *emphasizing* that Somalia's long-term security rests with the effective development by Somali authorities of the Somali Coast Guard and Maritime Police Units, Somali National Army, and Somali Police Force,

Welcoming the Padang Communique and Maritime Cooperation Declaration adopted by the Indian Ocean Rim Association (IORA) at its 15th Council of Ministers meeting, which call upon members to support and strengthen cooperation to address maritime challenges including piracy and illegal trafficking of drugs,

Welcoming the publication in June 2018 by BIMCO, International Chamber of Shipping, International Group of Protection & Indemnity Clubs, Intertanko, The Oil Companies International Marine Forum and others, of version 5 of Best Management Practices to deter Piracy and Enhance Maritime Security in the Red Sea, Gulf of Aden, Indian Ocean and the Arabian Sea (BMP5), acknowledging that the information and guidance contained within helps to reduce the risks to mariners and seafarers engaged in their lawful occupations,

Recognizing that the ongoing instability in Somalia and the acts of piracy and armed robbery at sea off its coast are inextricably linked, and stressing the need to continue the comprehensive response by the international community to repress piracy and armed robbery at sea and tackle its underlying causes,

Determining that the incidents of piracy and armed robbery at sea off the coast of Somalia, as well as the activity of pirate groups in Somalia, are an important factor exacerbating the situation in Somalia, which continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* that it condemns and deplores all acts of piracy and armed robbery at sea off the coast of Somalia;

2. *While noting* improvements in Somalia, *recognizes* that piracy exacerbates instability in Somalia by introducing large amounts of illicit cash that fuels additional crime, corruption, and terrorism;

3. *Stresses* the need for a comprehensive response to prevent and suppress piracy and tackle its underlying causes by the international community in collaboration with Somali authorities and other relevant actors;

4. *Underlines* the primary responsibility of the Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, *encourages* the approval by the Parliament of the draft coast guard law which the Somali authorities, with the support of EUNAVFOR Operation Atalanta and EUCAP Somalia have submitted to the Council of Ministers and *urges* the Somali authorities, to continue their work to pass a comprehensive set of anti-piracy and maritime laws without further delay and establish security forces with clear roles and jurisdictions to enforce these laws and to continue to develop, with international support as appropriate, the capacity of Somali courts to investigate and prosecute persons responsible for acts of piracy and armed robbery, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attacks;

5. *Recognizes* the need to continue investigating and prosecuting those who plan, organize, or illicitly finance or profit from pirate attacks off the coast of Somalia, including key figures of criminal networks involved in piracy, *urges* States, working in conjunction with relevant international organizations, to adopt legislation to facilitate prosecution of suspected pirates off the coast of Somalia;

6. *Calls upon* the Somali authorities to interdict, and upon interdiction to have mechanisms in place to safely return effects seized by pirates, investigate and prosecute pirates and to patrol the waters off the coast of Somalia to prevent and suppress acts of piracy and armed robbery at sea;

7. *Calls upon* the Somali authorities to make all efforts to bring to justice those who are using Somali territory to plan, facilitate, or undertake criminal acts of piracy and armed robbery at sea, and calls upon Member States to assist Somalia, at the request of Somali authorities and with notification to the Secretary-General, to strengthen maritime capacity in Somalia, including regional authorities and, stresses that any measures undertaken pursuant to this paragraph shall be consistent with applicable international law, in particular international human rights law;

8. *Calls upon* States to cooperate also, as appropriate, on the issue of hostage taking, and the prosecution of suspected pirates for taking hostages;

9. *Calls for* the immediate and unconditional release of all seafarers held hostage by Somali pirates, and further calls upon the Somali authorities and all

relevant stakeholders to redouble their efforts to secure their safe and immediate release;

10. *Welcomes* the initiative of the Seychelles authorities to establish a court for piracy and maritime crime and further *welcomes* the successful prosecution of piracy cases by this body;

11. *Recognizes* the need for States, international and regional organizations, and other appropriate partners to exchange evidence and information for anti-piracy law enforcement purposes with a view to ensuring effective prosecution of suspected, and imprisonment of convicted, pirates and with a view to the arrest and prosecution of key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance and profit from piracy operations, and keeps under review the possibility of applying targeted sanctions against individuals or entities that plan, organize, facilitate, or illicitly finance or profit from piracy operations if they meet the listing criteria set out in paragraph 43 of resolution 2093 (2013), and *calls* upon all States to cooperate fully with the Somalia and Eritrea Monitoring Group, including on information-sharing regarding possible violations of the arms embargo or charcoal ban;

12. *Renews* its call upon States and regional organizations that are able to do so to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, in particular, consistent with this resolution and international law, by deploying naval vessels, arms, and military aircraft, by providing basing and logistical support for counter-piracy forces, and by seizing and disposing of boats, vessels, arms, and other related equipment used in the commission of piracy and armed robbery at sea off the coast of Somalia, or for which there are reasonable grounds for suspecting such use;

13. *Highlights* the importance of coordination among States and international organizations in order to deter acts of piracy and armed robbery at sea off the coast of Somalia, commends the work of the CGPCS to facilitate such coordination in cooperation with the IMO, flag States, and Somali authorities, and urges continued support of these efforts;

14. *Encourages* Member States to continue to cooperate with Somali authorities in the fight against piracy and armed robbery at sea, notes the primary role of Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, and *decides* that, for a further period of 13 months from the date of this resolution to renew the authorizations as set out in paragraph 14 of resolution 2383 (2017) granted to States and regional organizations cooperating with Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by Somali authorities to the Secretary-General;

15. *Affirms* that the authorizations renewed in this resolution apply only with respect to the situation in Somalia and shall not affect the rights, obligations, or responsibilities of Member States under international law, including any rights or obligations under The Convention, with respect to any other situation, and underscores in particular that this resolution shall not be considered as establishing customary international law; and affirms further that such authorizations have been renewed in response to the 25 October 2018 letter conveying the request of Somali authorities;

16. *Decides* that the arms embargo on Somalia imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon by paragraphs 1 and 2 of resolution 1425 (2002) and modified by paragraphs 33 to 38 of resolution 2093 does not apply to supplies of weapons and military equipment or the provision of assistance destined

for the sole use of Member States, international, regional, and subregional organizations undertaking measures in accordance with paragraph 14 above;

17. *Requests* that cooperating States take appropriate steps to ensure that the activities they undertake pursuant to the authorizations in paragraph 14 do not have the practical effect of denying or impairing the right of innocent passage to the ships of any third State;

18. *Calls upon* all States, and in particular flag, port, and coastal States, States of the nationality of victims and perpetrators of piracy and armed robbery, and other States with relevant jurisdiction under international law and national legislation, to cooperate in determining jurisdiction and in the investigation and prosecution of all persons responsible for acts of piracy and armed robbery off the coast of Somalia, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attack, consistent with applicable international law including international human rights law, to ensure that all pirates handed over to judicial authorities are subject to a judicial process, and to render assistance by, among other actions, providing disposition and logistics assistance with respect to persons under their jurisdiction and control, such as victims, witnesses, and persons detained as a result of operations conducted under this resolution;

19. *Calls upon* all States to criminalize piracy under their domestic law and to favourably consider the prosecution of suspected, and imprisonment of those convicted, pirates apprehended off the coast of Somalia, and their facilitators and financiers ashore, consistent with applicable international law, including international human rights law, and decides to keep these matters under review, including, as appropriate, the establishment of specialized anti-piracy courts in Somalia with substantial international participation and/or support as set forth in resolution 2015 (2011), and encourages the CGPCS to continue its discussions in this regard;

20. *Welcomes*, in this context, the UNODC Maritime Crime Programme's continued work with authorities in Somalia and in neighbouring States to ensure that individuals suspected of piracy are prosecuted and those convicted are imprisoned in a manner consistent with international law, including international human rights law;

21. *Encourages* the Federal Government of Somalia to accede to the United Nations Convention Against Transnational Organized Crime, as part of its efforts to target money laundering and financial support structures on which piracy networks survive;

22. *Urges* all States to take appropriate actions under their existing domestic law to prevent the illicit financing of acts of piracy and the laundering of its proceeds;

23. *Urges* States, in cooperation with INTERPOL and Europol, to further investigate international criminal networks involved in piracy off the coast of Somalia, including those responsible for illicit financing and facilitation;

24. *Urges* all States to ensure that counter-piracy activities, particularly land-based activities, take into consideration the need to protect women and children from exploitation, including sexual exploitation;

25. *Urges* all States to share information with INTERPOL for use in the global piracy database, through appropriate channels;

26. *Commends* the contributions of the Trust Fund and the IMO-funded Djibouti Code of Conduct and urges both state and non-State actors affected by piracy, most notably the international shipping community, to contribute to them;

27. *Urges* States parties to The Convention and the SUA Convention to implement fully their relevant obligations under these conventions and customary

international law and to cooperate with the UNODC, IMO, and other States and international organizations to build judicial capacity for the successful prosecution of persons suspected of piracy and armed robbery at sea off the coast of Somalia;

28. *Acknowledges* the recommendations and guidance provided by the IMO on preventing and suppressing piracy and armed robbery at sea; and urges States, in collaboration with the shipping and insurance industries and the IMO, to continue to develop and implement avoidance, evasion, and defensive best practices and advisories to take when under attack or when sailing in the waters off the coast of Somalia, and further urges States to make their citizens and vessels available for forensic investigation as appropriate at the first suitable port of call immediately following an act or attempted act of piracy or armed robbery at sea or release from captivity;

29. *Encourages* flag States and port States to further consider the development of safety and security measures on board vessels, including, where applicable, developing regulations for the use of PCASP on board ships, aimed at preventing and suppressing piracy off the coast of Somalia, through a consultative process, including through the IMO and ISO;

30. *Invites* the IMO to continue its contributions to the prevention and suppression of acts of piracy and armed robbery against ships, in coordination, in particular, with the UNODC, the World Food Program (WFP), the shipping industry, and all other parties concerned, and recognizes the IMO's role concerning privately contracted armed security personnel on board ships in high-risk areas;

31. *Notes* the importance of securing the safe delivery of WFP assistance by sea, and welcomes the ongoing work by the WFP, EUNAVFOR Operation Atalanta, and flag States with regard to Vessel Protection Detachments on WFP vessels;

32. *Requests* States and regional organizations cooperating with Somali authorities to inform the Security Council and the Secretary-General in nine months of the progress of actions undertaken in the exercise of the authorizations provided in paragraph 14 above and further requests all States contributing through the CGPCS to the fight against piracy off the coast of Somalia, including Somalia and other States in the region, to report by the same deadline on their efforts to establish jurisdiction and cooperation in the investigation and prosecution of piracy;

33. *Requests* the Secretary-General to report to the Security Council within twelve months of the adoption of this resolution on the implementation of this resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia;

34. *Expresses its intention* to review the situation and consider, as appropriate, renewing the authorizations provided in paragraph 14 above for additional periods upon the request of Somali authority;

35. *Decides* to remain seized of the matter.

United Nations S/RES/2443 (2018)

Security Council

Distr.: General
6 November 2018

Resolution 2443 (2018)

Adopted by the Security Council at its 8392nd meeting, on 6 November 2018

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the Former Yugoslavia and relevant statements of its President, including resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996, 1423 (2002) of 12 July 2002, 1491 (2003) of 11 July 2003, 1551 (2004) of 9 July 2004, 1575 (2004) of 22 November 2004, 1639 (2005) of 21 November 2005, 1722 (2006) of 21 November 2006, 1764 (2007) of 29 June 2007, 1785 (2007) of 21 November 2007, 1845 (2008) of 20 November 2008, 1869 (2009) of 25 March 2009, 1895 (2009) of 18 November 2009, 1948 (2010) of 18 November 2010, 2019 (2011) of 16 November 2011, 2074 (2012) of 14 November 2012, 2123 (2013) of 12 November 2013, 2183 (2014) of 11 November 2014, 2247 (2015) of 10 November 2015, 2315 (2016) of 8 November 2016, and 2384 (2017) of 7 November 2017,

Reaffirming its commitment to the political settlement of the conflicts in the Former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the Peace Agreement, S/1995/999, Annex), as well as the relevant decisions of the Peace Implementation Council (PIC),

Noting the reports of the High Representative, including his latest report of 17 October 2018,

Encouraging the authorities of Bosnia and Herzegovina, with the support of the international community, to accelerate their efforts to address the disposal of excess ammunition,

Emphasizing its appreciation to the Commander and personnel of the multinational stabilization force (EUFOR ALTHEA) and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Recalling all the agreements concerning the status of forces referred to in Appendix B to Annex 1-A of the Peace Agreement, and reminding the parties of their obligation to continue to comply therewith,

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Further recalling the provisions of its resolution 1551 (2004) concerning the provisional application of the status of forces agreements contained in Appendix B to Annex 1-A of the Peace Agreement,

Welcoming the continued presence of EUFOR ALTHEA and the EU's readiness to continue at this stage an executive military role to support Bosnia and Herzegovina authorities to maintain the safe and secure environment, its decision to refocus the operation on its core mandate and to keep the operation under regular review, including on the basis of the situation on the ground,

Reiterating its calls on the competent authorities in Bosnia and Herzegovina to take necessary steps to complete the 5+2 agenda, which remains necessary for closure of the Office of the High Representative, as confirmed by the PIC Steering Board communiqués,

Reaffirming provisions concerning the High Representative as set out in its previous resolutions, and further reaffirming Article V of Annex 10 of the Peace Agreement regarding the High Representative's final authority in theatre in the interpretation of the civilian implementation of the Agreement,

Recognizing the importance of Bosnia and Herzegovina's transition to a functional, reform oriented, modern and democratic European country,

Taking note of the Peace Agreement and of Bosnia and Herzegovina's leadership's commitment towards a European perspective, including through the submission of Bosnia and Herzegovina's EU membership application in February 2016 and through the ongoing work to answer the EU Commission's Opinion questionnaire through the coordination mechanism on EU matters, and encouraging response to the follow up questions, and recalling that this commitment needs to be translated urgently into comprehensive reform results on the ground,

Noting with concern continued polarizing unconstructive policies, actions and rhetoric in Bosnia and Herzegovina, and reiterating its calls to political leaders to advance reconciliation and mutual understanding,

Noting positively that the initial implementation of the Reform Agenda, has provided the first steps of structural adjustment to the economy of the country, while however, *noting* that the pace of implementation of the Reform Agenda has slowed and *underscoring* the urgency to step up the implementation of comprehensive reforms, in an inclusive manner, to the benefit of all citizens,

Emphasizing the need for Bosnia and Herzegovina to step up efforts regarding the functioning and independence of the judiciary, the fight against corruption and organized crime and the fight against terrorism and prevention of radicalization,

Urging all concerned parties to work constructively for the implementation of the results of the election and *emphasizing* the importance of a swift government formation at all levels, in the interest of all citizens,

Underscoring the urgency to address outstanding OSCE-ODIHR recommendations to improve the electoral framework and related rulings of the Constitutional Court of Bosnia and Herzegovina and the European Court of Human Rights and *emphasizing* electoral reforms should be approached in a spirit of consensus and dialogue and should move the country towards modern democratic standards, and *notes with* regret the failure to make necessary amendments to the election law prior to the elections of 7 October 2018,

Encouraging the parties to implement Bosnia and Herzegovina's National Action Plan on Women Peace and Security in an inclusive manner and *looking forward* to its continuation,

Taking note of the planned strategic review in early 2019,

Recognizing that the security environment has remained calm and stable, and noting that the Bosnia and Herzegovina authorities have so far proven capable to deal with threats to the safe and secure environment,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with all the authorities in Bosnia and Herzegovina themselves and notes the continued willingness of the international community and major donors to support them in implementing the Peace Agreement, and calls upon all the authorities in Bosnia and Herzegovina to fully cooperate with the International Residual Mechanism for Criminal Tribunals;

2. *Welcomes* the EU's readiness to maintain an EU military operation (EUFOR ALTHEA) in Bosnia and Herzegovina from November 2018;

3. *Authorizes* the Member States acting through or in cooperation with the EU to establish for a further period of twelve months, starting from the date of the adoption of this resolution, a multinational stabilization force (EUFOR ALTHEA) as a legal successor to SFOR under unified command and control, which will fulfil its missions in relation to the implementation of Annex 1-A and Annex 2 of the Peace Agreement in cooperation with the NATO Headquarters presence in accordance with the arrangements agreed between NATO and the EU as communicated to the Security Council in their letters of 19 November 2004, which recognize that EUFOR ALTHEA will have the main peace stabilization role under the military aspects of the Peace Agreement;

4. *Decides* to renew the authorization provided by paragraph 11 of its resolution 2183 (2014) for a further period of twelve months starting from the date of adoption of this resolution;

5. *Authorizes* the Member States acting under paragraph 3 and 4 above to take all necessary measures to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for the compliance with that annex and shall be equally subject to such enforcement action by EUFOR ALTHEA and the NATO presence as may be necessary to ensure implementation of those annexes and the protection of EUFOR ALTHEA and the NATO presence;

6. *Authorizes* Member States to take all necessary measures, at the request of either EUFOR ALTHEA or the NATO Headquarters, in defence of the EUFOR ALTHEA or NATO presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both EUFOR ALTHEA and the NATO presence to take all necessary measures to defend themselves from attack or threat of attack;

7. *Authorizes* the Member States acting under paragraph 3 and 4 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

8. *Urges* the parties to engage constructively on swift government formation at all levels and to prioritise the implementation of comprehensive reforms, in an inclusive manner, to the benefit of all citizens and in line with the European

perspective the country is committed to, and, in this regard, *further calls* on them to refrain from any polarizing unconstructive policy, action and rhetoric;

9. *Urges* the parties, in accordance with the Peace Agreement, to abide to their commitment to cooperate fully with all institutions involved in the implementation of this peace settlement, as described in the Peace Agreement, including Annex 4;

10. *Reaffirms* that under the Peace Agreement, Bosnia and Herzegovina consists of two entities, which exist legally by virtue of the Bosnia and Herzegovina Constitution, and further reaffirms that any change to the Constitution must be made in accordance with the amendment procedure prescribed therein;

11. *Decides* to remain seized of the matter.

United Nations S/RES/2444 (2018)

Security Council

Distr.: General
14 November 2018

Resolution 2444 (2018)

Adopted by the Security Council at its 8398th meeting, on 14 November 2018

The Security Council,

Recalling all its previous resolutions and statements of its President on the situation in Somalia and Eritrea, in particular resolutions 733 (1992), 1844 (2008), 1907 (2009), 2023 (2011), 2036 (2012), 2093 (2013), 2111 (2013), 2124 (2013), 2125 (2013), 2142 (2014), 2182 (2014), 2244 (2015), 2317 (2016) and 2385 (2017),

Taking note of the final reports of the Somalia and Eritrea Monitoring Group (the SEMG) on Somalia (S/2018/1002) and Eritrea (S/2018/1003) and their conclusions on the situations in Somalia and Eritrea,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, Djibouti and Eritrea, and underscoring the importance of working to prevent destabilising effects of regional crises and disputes from spilling over into Somalia,

Condemning Al-Shabaab attacks in Somalia and beyond, *expressing concern* that Al-Shabaab continues to pose a serious threat to the peace and stability of Somalia and the region, and *further expressing concern* at the presence of affiliates linked to Islamic State in Iraq and the Levant (ISIL, also known as Da'esh) and the security implications of the situation in Yemen for Somalia,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights law, international refugee law, and international humanitarian law, threats to international peace and security caused by terrorist acts,

Underlining its support for the efforts of the Somali authorities to deliver stability and security in Somalia and to reduce the threats to peace and security posed by Al-Shabaab and affiliates linked to ISIL (also known as Da'esh),

Condemning any flows of weapons and ammunition supplies to and through Somalia in violation of the arms embargo on Somalia, including when they result in supplies to Al-Shabaab and affiliates linked to ISIL (also known as Da'esh) and when they undermine the sovereignty and territorial integrity of Somalia, as a serious threat to peace and stability in the region, and *expressing concern* at reports of increased illegal flows of weapons and ammunition supplies from Yemen to Somalia,

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Welcoming the cooperation between the Federal Government of Somalia (FGS), the Federal Member States (FMSs), and the SEMG, and *underlining* the importance of these relationships improving further and strengthening in the future,

Welcoming the development of a conditions-based transition plan with clear target dates for the progressive transfer of security responsibilities from the African Union Mission in Somalia (AMISOM) to the Somali security institutions and forces, *calling for* its swift and coordinated implementation with full participation from all stakeholders, and *recalling* the critical importance of accelerating the implementation of the National Security Architecture agreement between the FGS and the FMSs, including decisions to define the composition and roles of Somalia's security forces and to integrate and provide federal support to regional forces, in order to provide the foundation for a successful transition to Somali-led security,

Taking note of the efforts of the FGS to improve its notifications to the Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea ("the Committee"), *urging* further progress in this regard, and *recalling* that improved arms and ammunition management in Somalia is a fundamental component of greater peace and stability for the region,

Commending the efforts of the FGS to restore key economic and financial institutions, increase domestic revenue and implement financial governance and structural reforms, *welcoming* the continued progress on building a track record of reforms under the International Monetary Fund Staff-Monitored Programme, together with progress on the anti-corruption bill, and *highlighting* the importance of continual progress in these areas,

Welcoming the FGS's efforts to implement the Anti-Money Laundering and Countering the Financing of Terrorism Act (2015) and the National Communications Act (2017), *underlining* the importance of compliance with the counter-terrorism and national security provisions in this legislation, and *further welcoming* the establishment of a Financial Reporting Centre to serve as Somalia's financial intelligence unit,

Underlining the importance of financial propriety in contributing to stability and prosperity, *welcoming* the efforts of the FGS to address corruption, and *stressing* the need for a zero tolerance approach to corruption to promote transparency and increase mutual accountability in Somalia,

Expressing serious concern at reports of illegal, unreported and unregulated fishing in waters where Somalia has jurisdiction, *underlining* the importance of refraining from illegal, unreported and unregulated fishing, *welcoming* further reporting on the matter, and *encouraging* the FGS, with the support of the international community, to ensure that fishing licenses are issued in a responsible manner and in line with the appropriate Somali legal framework,

Expressing serious concern at the ongoing difficulties in delivering humanitarian aid in Somalia, and *condemning* in the strongest terms any party obstructing the safe delivery of humanitarian assistance, any misappropriation or diversion of any humanitarian funds or supplies, and acts of violence against and harassment of humanitarian workers,

Recalling that the FGS has the primary responsibility to protect its population, and *recognising* the FGS's responsibility, working with the FMSs, to build the capacity of its own national security forces, as a matter of priority,

Welcoming the FGS's efforts to address sexual- and gender-based violence, *encouraging* strengthened reporting mechanisms to facilitate prosecutions, and *further encouraging* the FGS to continue to implement its National Action Plan on

Ending Sexual Violence in Conflict through training, accountability, victim support and oversight of the security sector,

Commending efforts towards peace, stability and reconciliation in the region, including the signing of the Joint Declaration of Peace and Friendship between Eritrea and Ethiopia on 9 July 2018, the signing of the Joint Declaration on Comprehensive Cooperation between Ethiopia, Somalia and Eritrea on 5 September 2018, and the signing of the Agreement on Peace, Friendship and Comprehensive Cooperation between Eritrea and Ethiopia on 16 September 2018,

Taking note of the decision of the Secretary-General to appoint a new Special Envoy for the Horn of Africa who will, inter alia, work with the Intergovernmental Authority on Development (IGAD) and other relevant subregional and regional organisations in consolidating recent gains in peace and security in the region, and carry out good offices on behalf of the Secretary-General,

Regretting that the SEMG has not been able to visit Eritrea since 2011 and fully discharge its mandate, and *welcoming* the meeting on 5 October 2018 between the representative of the Government of Eritrea and the Coordinator of the SEMG,

Welcoming that in recent months several armed groups in the region have declared that they will cease hostilities and engage peacefully in efforts to pursue reconciliation in the region,

Expressing concern at ongoing reports of Djiboutian combatants missing in action since the clashes in 2008, *calling on* Eritrea and Djibouti to continue to engage in resolving the issues of combatants, and *urging* Eritrea to share any further available detailed information pertaining to the combatants,

Taking note of increased engagement between Eritrea and Djibouti, *strongly encouraging* further efforts towards normalisation of relations and good neighbourhood between Djibouti and Eritrea, including cooperation in accordance with international law to resolve any disputes regarding their shared border, and *reaffirming* its readiness to continue to assist the parties in the peaceful settlement of any prolonged disputes,

Determining that the situation in Somalia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

Lifting of arms embargoes, travel bans, asset freezes and targeted sanctions on Eritrea

1. *Recalls* paragraphs 16 and 17 of resolution 1907 (2009) and *recognises* that during the course of its current and four previous mandates the SEMG has not found conclusive evidence that Eritrea supports Al-Shabaab;

2. *Welcomes* the meeting on 25 September 2018 between the representative of the Government of Eritrea and the Chair of the Committee, and *further welcomes* the meeting on 5 October 2018 between the representative of the Government of Eritrea and the Coordinator of the SEMG, with the participation of the Chair of the Committee;

3. *Welcomes* the meeting between the President of Djibouti and the President of Eritrea in Jeddah on 17 September 2018, *underlines* the importance of continuing efforts towards the normalisation of relations between Eritrea and Djibouti for regional peace, stability and reconciliation, and *encourages* Member States, international, regional and subregional organisations and other parties to continue to support these efforts including through their good offices;

4. *Decides* to lift from the date of adoption of this resolution the arms embargoes, travel bans, asset freezes and targeted sanctions imposed on Eritrea by the Security Council in its resolutions 1907 (2009) 2023 (2011), 2060 (2012) and 2111 (2013);

5. *Expresses its satisfaction* that funds derived from the mining sector of Eritrea are not contributing to violations of resolutions 1844 (2008), 1862 (2009), 1907 (2009) or 2023 (2011), and *decides* that from the date of adoption of this resolution, States are no longer required to undertake the measures set out in paragraph 13 of resolution 2023 (2011);

6. *Urges* Eritrea and Djibouti to engage on the issue of the Djiboutian combatants missing in action including through the mediation of any relevant party of their own choosing, and *further urges* Eritrea to make available any further detailed information;

7. *Urges* the two parties to continue efforts to settle their border dispute peacefully in a manner consistent with international law by conciliation, arbitration or judicial settlement, or by any other means of pacific dispute settlement identified in Article 33 of the Charter upon which they agree;

8. *Affirms* that it will continue to follow developments towards the normalisation of relations between Fritrea and Djibouti and will support the two countries in the resolution of these matters in good faith;

Committee

9. *Decides* that the mandate of the Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, hereafter to be known as the Committee pursuant to resolution 751 (1992) concerning Somalia ("the Committee"), shall include the tasks as set out in paragraph 11 of resolution 751 (1992), paragraph 11 of resolution 1844 (2008), and paragraph 23 of resolution 2036 (2012), and *requests* that the Committee amends its guidelines, its implementation assistance notices and its website accordingly;

Somalia and Eritrea Monitoring Group

10. *Decides* to terminate the mandate of the Somalia and Eritrea Monitoring Group (SEMG), with effect from 16 December 2018;

Panel of Experts on Somalia

11. *Decides* to establish, with effect from the date of adoption of this resolution, until 15 December 2019, the Panel of Experts on Somalia, *further decides* that the mandate of the Panel of Experts shall include the tasks as set out in paragraph 13 of resolution 2060 (2012) and updated in paragraph 41 of resolution 2093 (2013), paragraph 15 of resolution 2182 (2014), paragraph 23 of resolution 2036 (2012) and paragraph 29 of this resolution as they relate to Somalia, and *expresses* its intention to review the mandate and take appropriate action regarding any extensions of the mandate of the Panel of Experts no later than 15 November 2019;

12. *Requests* the Secretary-General to take the necessary administrative measures as expeditiously as possible to establish the Panel of Experts, consisting of six members and to be based in Nairobi, in consultation with the Committee, until 15 December 2019, drawing, as appropriate, on the expertise of the members of the SEMG established pursuant to previous resolutions, and *further requests* the Panel of Experts to include the necessary gender expertise, in line with paragraph 6 of resolution 2242 (2015);

Somalia Arms embargo

13. *Reaffirms* the arms embargo on Somalia, imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon in paragraphs 1 and 2 of resolution 1425 (2002) and modified by paragraphs 33 to 38 of resolution 2093 (2013) and paragraphs 4 to 17 of resolution 2111 (2013), paragraph 14 of resolution 2125 (2013), paragraph 2 of resolution 2142 (2014), paragraph 2 of resolution 2244 (2015), paragraph 2 of resolution 2317 (2016) and paragraph 2 of resolution 2385 (2017) (hereafter referred to as "the arms embargo on Somalia");

14. *Decides* to renew the provisions set out in paragraph 2 of resolution 2142 (2014) until 15 November 2019, and in that context *reiterates* that the arms embargo on Somalia shall not apply to deliveries of weapons, ammunition or military equipment or the provision of advice, assistance or training, intended solely for the development of the Somali National Security Forces, to provide security for the Somali people, except in relation to deliveries of the items set out in the annex of resolution 2111 (2013);

15. *Reaffirms* its decision that the entry into Somali ports for temporary visits of vessels carrying arms and related materiel for defensive purposes does not amount to a delivery of such items in violation of the arms embargo on Somalia, provided that such items remain at all times aboard such vessels;

16. *Reiterates* its decision that weapons or military equipment sold or supplied solely for the development of the Somali National Security Forces may not be resold to, transferred to, or made available for use by, any individual or entity not in the service of the Somali National Security Forces, and *underlines* the responsibility of the FGS and the FMSs to ensure the safe and effective management, storage and security of their stockpiles;

17. *Welcomes* in this regard the improvements made by the FGS in weapons registration, recording and marking procedures and *encourages* further improvements, *expresses concern* at reports of continued weapons diversion from within the FGS and FMSs, *notes* that further improved weapons and ammunition management is vital in order to prevent the diversion of weapons and ammunition, and *reiterates* that the Security Council is committed to monitoring and assessing improvements in order to review the arms embargo when all conditions as set out in Security Council resolutions are met;

18. *Calls upon* the FGS to facilitate access for the Panel of Experts, on the basis of written requests to the FGS by the Panel of Experts submitted at least ten days in advance, to all FGS armouries in Mogadishu, all FGS imported weapons and ammunition prior to distribution, all FGS military storage facilities in Somalia National Army (SNA) sectors and all captured weaponry in FGS custody, and to allow photographs of weapons and ammunition in FGS custody and access to all FGS logbooks and distribution records, in order to enable the Security Council to monitor and assess progress in this area;

19. *Welcomes* the ongoing efforts of the FGS to develop detailed Standard Operating Procedures for weapons and ammunition management including an issue and receipt system to track all weapons post distribution, *further welcomes* the development of a mechanism to distribute weapons and ammunition to regional forces, consistent with the requirements of this resolution including paragraph 16, *encourages* that such a mechanism be expanded to include other military equipment and supplies, consistent with the requirements of this resolution including paragraph 16, and *urges* the FGS to finalise and implement these procedures as soon as possible;

20. *Welcomes* the establishment of the Joint Verification Team (JVT) and *urges* Member States to support improved weapons and ammunition management to improve the capacity of the FGS to manage weapons and ammunition;

21. *Takes notes of* FGS reporting to the Security Council pursuant to paragraph 9 of resolution 2182 (2014) and as requested in paragraph 7 of resolution 2244 (2015), *calls on* the FGS and FMSs to accelerate the implementation of the National Security Architecture agreement, the Security Pact, and the transition plan in order to provide Somali-led security and protection to the people of Somalia, and *requests* the FGS to report to the Security Council in accordance with paragraph 9 of resolution 2182 (2014) and as requested in paragraph 7 of resolution 2244 (2015), by 15 March 2019 and then by 15 September 2019, on the structure, composition, strength and disposition of its Security Forces, including the status of regional and militia forces, and to include as annexes the reports of the JVT requested in paragraph 7 of resolution 2182 (2014);

22. *Recalls* that the FGS has the primary responsibility to notify the Committee of any deliveries of weapons, ammunition or military equipment or the provision of advice, assistance or training to its Security Forces, pursuant to paragraphs 3 to 8 of resolution 2142 (2014), and *calls upon* the FGS to improve its notifications to the Committee;

23. *Calls upon* the FGS to continue to improve the timeliness and content of notifications regarding the completion of deliveries, as set out in paragraph 6 of resolution 2142 (2014);

24. *Requests* the FGS to incorporate the notifications regarding the destination unit in the Somali National Security Forces upon distribution of imported arms and ammunition, detailed in paragraph 7 of resolution 2142 (2014), into the regular FGS reporting to the Security Council requested in paragraph 20;

25. *Stresses* Member States' obligations pursuant to the notification procedures set out in paragraph 11 (a) of resolution 2111 (2013), *urges* Member States to strictly follow the notification procedures for providing assistance to develop Somali security sector institutions, and *encourages* Member States to consider Implementation Assistance Notice No.2 of the Committee as a guide;

26. *Recalls* paragraph 2 of resolution 2142 (2014) and *notes* that support for the development of the Somali National Security Forces may include, inter alia, building infrastructure and provision of salaries and stipends solely provided to the Somali National Security Forces;

27. *Urges* increased cooperation by the FGS, FMSs and AMISOM, as set out in paragraph 6 of resolution 2182 (2014), to document and register all military equipment captured as part of offensive operations or in the course of carrying out their mandates;

28. *Calls upon* the FGS and FMSs to enhance civilian oversight of their security forces, to continue to adopt and implement appropriate vetting procedures of all defence and security personnel, including human rights vetting, and to investigate and as appropriate prosecute individuals responsible for violations of international law, including international humanitarian law and human rights law, and in this context *recalls* the importance of the Secretary-General's Human Rights and Due Diligence Policy in relation to the support provided by the United Nations to Somali security forces;

29. *Decides* that the Panel of Experts will continue the investigations started by the SEMG related to the export to Somalia of chemicals that may be used as oxidisers in the manufacture of improvised explosive devices, such as the precursors

ammonium nitrate, potassium chlorate, potassium nitrate and sodium chlorate with a view to considering further action, and *calls on* Members States and the FGS to cooperate with the Panel of Experts in this regard;

30. *Underlines* the importance of timely and predictable payment of salaries to the Somali security forces and *calls on* the FGS to continue to implement systems to improve the timeliness and accountability of payments and supply of provisions to the Somali security forces, and *welcomes* the progress made to date on biometric registration;

31. *Recalls* the need to build the capacities of the Somali National Security Forces, in particular the provision of equipment, training and mentoring, in order to develop credible, professional and representative security forces to enable the gradual handing over of security responsibilities from AMISOM to the Somali security forces in line with the transition plan, and *encourages* further donor support and coordination as set out in the Security Pact;

32. *Requests* the Secretary-General to conduct a technical assessment regarding the arms embargo, with options and recommendations for improving implementation, by 15 May 2019;

Threats to peace and security in Somalia

33. *Condemns* Al-Shabaab's increased revenue from natural resources including the taxing of the illicit sugar trade, agricultural production and livestock, *further expresses concern* at the group's involvement in the illicit charcoal trade, and *welcomes* the Panel of Experts' reporting on these issues;

34. *Requests* the FGS to cooperate with the Panel of Experts to facilitate interviews of suspected members of Al-Shabaab and ISIL (also known as D'aesh) held in FGS custody, in order to assist the Panel of Experts with its investigations;

35. *Welcomes* the efforts that the FGS has made to improve its financial management procedures including the successful completion of two International Monetary Fund (IMF) Staff-Monitoring programmes and the commitments to further reform made under the third Staff-Monitored programme, *encourages* the FGS and FMSs to maintain the pace of reform to increase transparency, accountability, comprehensiveness and predictability in revenue collection and budget allocations, and *expresses concern* at the generation and distribution of counterfeit Somali currency;

36. *Expresses concern* at the continued reports of corruption and diversion of public resources, including reports of alleged financial impropriety involving members of the FGS, FMSs, Federal Parliament and Somali opposition groups which pose a risk to state-building efforts, and in this context *strongly welcomes* the steps taken by the FGS to address cases of corruption and to develop anti-corruption legislation;

37. *Underlines* that individuals engaged in acts that threaten the peace and reconciliation process in Somalia may be listed for targeted measures;

38. *Recognises* that addressing outstanding constitutional issues around power and resource sharing between the FGS and FMSs is crucial for Somalia's stability, *calls* upon the FGS and the FMSs to work constructively together to address these issues in an inclusive manner, and *encourages* the FGS and FMSs to implement the outstanding elements of the National Security Architecture agreement, including decisions around the make-up, distribution and command and control of the security forces and resource-sharing;

39. *Reaffirms* Somalia's sovereignty over its natural resources;

40. *Reiterates its serious concern* that the petroleum sector in Somalia could be a driver for increased conflict, *welcomes* the political agreement on petroleum and mineral resource-sharing reached by the FGS and the FMSs in June 2018, and *underlines* the vital importance of the FGS and FMSs putting in place, without undue delay, resource-sharing arrangements and credible legal frameworks to ensure that the petroleum sector in Somalia does not become a source of increased tension;

Somalia Charcoal ban

41. *Reaffirms* its decision regarding the ban on the import and export of Somali charcoal, as set out in paragraph 22 of resolution 2036 (2012) ("the charcoal ban"), *welcomes* efforts of Member States to prevent the import of charcoal of Somali origin, *reiterates* that the FGS and FMSs shall take the necessary measures to prevent the export of charcoal from Somalia, *urges* Member States to continue their efforts to ensure full implementation of the ban, and *further reiterates* that individuals and entities engaged in acts which violate the charcoal ban may be listed for targeted measures;

42. *Reiterates* its requests in paragraph 18 of resolution 2111 (2013) and paragraph 16 of resolution 2431 (2018) that AMISOM support and assist the FGS and FMSs in implementing the total ban on the export of charcoal from Somalia, and *calls upon* AMISOM to facilitate regular access for the Panel of Experts to charcoal exporting ports;

43. *Welcomes* the efforts of the Combined Maritime Forces (CMF) to disrupt the export and import of charcoal to and from Somalia, and *further welcomes* the cooperation between the Panel of Experts and CMF in keeping the Committee informed on the charcoal trade;

44. *Expresses concern* that the charcoal trade provides significant funding for Al-Shabaab, and in that context reiterates paragraphs 11 to 21 of resolution 2182 (2014), and *further decides* to renew the provisions set out in paragraph 15 of resolution 2182 (2014) until 15 November 2019;

45. *Condemns* the ongoing export of charcoal from Somalia, in violation of the total ban on the export of charcoal, *calls* on Member States to share information with the Panel of Experts, *requests* the Panel of Experts to continue to focus on this in their next report and propose further measures, taking account of human rights concerns, and *expresses* its intention to consider further measures if violations continue;

46. *Encourages* the United Nations Office on Drugs and Crime to continue its work with the FGS, within its current mandate, under the Indian Ocean Forum on Maritime Crime to bring together relevant Member States and international organisations to develop strategies to disrupt the trade in Somali charcoal;

Humanitarian access in Somalia

47. *Expresses grave concern* at the ongoing humanitarian situation in Somalia and its impact on the people of Somalia, *commends* the efforts of the United Nations humanitarian agencies and other humanitarian actors to deliver life-saving assistance to vulnerable populations, *condemns* in the strongest terms attacks against humanitarian actors and any misuse of donor assistance and the obstruction of the delivery of humanitarian aid, *reiterates* its demand that all parties allow and facilitate full, safe and unhindered access for the timely delivery of aid to persons in need across Somalia, and *encourages* the FGS to improve the regulatory environment for aid donors;

48. *Decides* that until 15 November 2019 and without prejudice to humanitarian assistance programmes conducted elsewhere, the measures imposed by paragraph 3 of resolution 1844 (2008) shall not apply to the payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia, by the United Nations, its specialised agencies or programmes, humanitarian organisations having observer status with the United Nations General Assembly that provide humanitarian assistance, and their implementing partners including bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plan for Somalia;

49. *Requests* the Emergency Relief Coordinator to report to the Security Council by 15 October 2019 on the delivery of humanitarian assistance in Somalia and on any impediments to the delivery of humanitarian assistance in Somalia, and *requests* relevant United Nations agencies and humanitarian organisations having observer status with the United Nations General Assembly and their implementing partners that provide humanitarian assistance in Somalia to increase their cooperation and willingness to share information with the United Nations;

Targeted sanctions in Somalia

50. *Recalls* its decisions in resolution 1844 (2008) which imposed targeted sanctions and resolutions 2002 (2011) and 2093 (2013) which expanded the listing criteria, *notes* one of the listing criteria under resolution 1844 (2008) is engaging in or providing support for acts that threaten the peace, security or stability of Somalia, and *decides* that such acts may also include but are not limited to planning, directing or committing acts involving sexual and gender-based violence;

51. *Reiterates* its willingness to adopt targeted measures against individuals and entities on the basis of the above-mentioned criteria;

52. *Recalls* paragraph 2 (c) of resolution 2060 (2012) and emphasises that certain misappropriation of financial resources is a criterion for designation and applies to misappropriation at all levels;

53. *Reiterates* its request for Member States to assist the Panel of Experts in its investigations, and *further requests* the FGS, FMSs and AMISOM to share information with the Panel of Experts regarding Al-Shabaab activities;

Reporting

54. *Requests* the Panel of Experts to provide monthly updates to the Committee pursuant to resolution 751 (1992), and a comprehensive midterm update, as well as to submit, for the Security Council's consideration, through the Committee, a final report by 15 October 2019;

55. *Requests* the Committee, in accordance with its mandate and in consultation with the Panel of Experts and other relevant United Nations entities, to consider the recommendations contained in the reports of the Panel of Experts and recommend to the Security Council ways to improve the implementation of and compliance with the Somalia arms embargo, the measures regarding the import and export of charcoal from Somalia, as well as implementation of the measures imposed by paragraphs 1, 3 and 7 of resolutions 1844 (2008) in response to continuing violations;

56. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chair and/or Committee members to enhance the full and effective implementation of the measures above, with a view to encouraging States to comply fully with this resolution;

57. *Requests* the Secretary General to keep the Security Council informed of developments towards the normalisation of relations between Eritrea and Djibouti and to report to the Security Council no later than 15 February 2019 and every six months thereafter, and *expresses its intention* to keep this request under review in light of developments;

58. *Decides* to remain seized of the matter.

United Nations S/RES/2445 (2018)

Security Council

Distr.: General
15 November 2018

Resolution 2445 (2018)

Adopted by the Security Council at its 8400th meeting, on 15 November 2018

The Security Council,

Recalling its previous resolutions and its presidential statements on the situation in Sudan and South Sudan, and in particular, resolutions 1990 (2011), 2024 (2011), 2032 (2011), 2046 (2012), 2047 (2012), 2075 (2012), 2104 (2013), 2126 (2013), 2156 (2014), 2179 (2014), 2205 (2015), 2230 (2015), 2251 (2015), 2287 (2016), 2318 (2016), 2352 (2017), 2386 (2017), 2411 (2018), 2412 (2018), 2416 (2018), and 2438 (2018) as well as presidential statements S/PRST/2012/19 and S/PRST/2013/14, and the Council's press statements of 18 June 2012, 21 September 2012, 28 September 2012, 6 May 2013, 14 June 2013, 14 February 2014, 17 March 2014, 11 December 2014, and 27 November 2015,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of Sudan and South Sudan, and to the purposes and the principles of the Charter of the United Nations, and recalling the importance of the principles of good neighbourliness, non-interference and regional cooperation,

Reiterating that the territorial boundaries of States shall not be altered by force, and that any territorial disputes shall be settled exclusively by peaceful means, *affirming* the priority it attaches to the full and urgent implementation of all outstanding issues from the Comprehensive Peace Agreement (CPA), and *underscoring* that the future status of Abyei shall be resolved by negotiations between the parties in a manner consistent with the CPA and not by the unilateral actions of either party,

Underscoring that continued cooperation between the Government of the Republic of the Sudan and Government of the Republic of South Sudan is critical for peace, security and stability and the future relations between them, *encouraging* progress on improving bilateral relations and holding regular meetings of the Joint Political and Security Mechanism (JPSM) and other joint mechanisms, and *calling on* both governments to implement their commitments in the 20 June 2011 Agreement between the Government of Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area, the 29 June 2011 Agreement between the Government of the Sudan and the Government of South Sudan on Border Security and the Joint Political and Security Mechanism (JPSM), the 30 July 2011 Agreement on the Border Monitoring Support Mission between the Government of Sudan and the Government of South Sudan, the

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27 September 2012 Agreements on Cooperation and Security Arrangements, and all subsequent decisions of the Joint Political and Security Mechanism (JPSM),

Commending the continued assistance provided to the parties by the African Union (AU), the AU High Level Implementation Panel (AUHIP), the Intergovernmental Authority on Development, the Federal Democratic Republic of Ethiopia, the Special Envoy of the Secretary-General for Sudan and South Sudan, whose responsibilities will be taken over by the Special Envoy of the Secretary-General for the Horn of Africa, and the United Nations Interim Security Force for Abyei (UNISFA),

Acknowledging that over the course of the seven years since establishment of UNISFA, the mission has been able to stabilize and demilitarize the Abyei Area and that UNISFA is now an interim security force with no viable exit strategy, and in this regard, *taking note* of the need to reconfigure the mission in order to create the space for a viable political process that would also serve as an exit strategy,

Noting that over the course of seven years the Government of Sudan and the Government of South Sudan have not made meaningful progress on the political process outlined in the 2011 and 2012 agreements listed above, including the failure to hold regular meetings of the Abyei Joint Oversight Committee and to establish the Abyei Area Administration, and the Abyei Police Service,

Emphasizing the change in threat in the Abyei Area as characterized by the 20 August 2018 Secretary-General's letter (S/2018/778), and *taking note* of the security situation in the Abyei Area as characterized by the 15 October 2018 Secretary-General's report (S/2018/923),

Commending the UN Police for activities to advise and mentor the local population in absence of the Abyei Police Service, *urging* both parties to establish the Abyei Police Service, *welcoming* UNISFA's enhanced role in fostering intercommunal dialogue, and *urging* all parties to continue these dialogues,

Commending the efforts of UNISFA in effectively carrying out its mandate, including by its ongoing facilitation of peaceful migration throughout the Abyei Area, conflict prevention, mediation and deterrence, and *strongly underscoring* the unacceptability of any attack on United Nations personnel, and *reiterating* that such attacks, which may constitute a war crime, should be swiftly and thoroughly investigated, and that those responsible should be held to account,

Recalling that the Security Council welcomed in resolution 2205 (2015) the decision of the Secretary-General to appoint a civilian head of mission,

Bearing in mind that people in the Abyei Area continue to rely on humanitarian assistance, that access for humanitarian organizations to reach people in need remains of crucial importance, and that humanitarian actors continue to provide assistance to 182,000 people in the Abyei Area,

Recalling resolution 2378 (2017) and its request of the Secretary-General to ensure that data related to the effectiveness of peacekeeping operations, including peacekeeping performance data, is used to improve analytics and the evaluation of mission operations, based on clear and well-identified benchmarks, and *further recalling* resolution 2436 (2018) and its request of the Secretary-General to ensure that decisions to recognize and incentivize outstanding performance and decisions regarding deployment, remediation, training, withholding of financial reimbursement, and repatriation of uniformed or dismissal of civilian personnel, are predicated on objective performance data,

Further recalling resolutions 1325 (2000) and subsequent resolutions on women, peace, and security and emphasizing that persistent barriers to full

implementation of these resolutions will only be dismantled through dedicated commitment to women's empowerment, participation, and human rights, and through concerted leadership, consistent information and action, and support, to build women's engagement in all levels of decision-making, also recalling resolution 2242 and its aspiration to increase the number of women in military and police contingents of United Nations peacekeeping operations,

Expressing concern about the residual threat of landmines and explosive remnants of war in the Abyei Area, which hinders the safe return of displaced persons to their homes, safe migration, and livelihood activities,

Recognizing that the current situation in Abyei and along the border between Sudan and South Sudan continues to constitute a threat to international peace and security,

1. *Decides* to extend until 15 May 2019 the mandate of UNISFA as set out in paragraph 2 of resolution 1990 (2011) and acting under Chapter VII of the Charter of the United Nations, *further decides* to extend until 15 May 2019 the tasks of UNISFA as set out in paragraph 3 of resolution 1990 (2011);

2. *Recalls* its decision in resolution 2412 (2018) to extend until 15 April 2019 UNISFA's mandate modification set forth in resolution 2024 (2011) and paragraph 1 of resolution 2075 (2012), *further recalls* its decision in resolution 2438 (2018) that such extension shall be the final extension of support to the Joint Border Verification and Monitoring Mechanism (JBVMM) unless both parties demonstrate measurable progress as outlined in paragraph 3 of resolution 2438 (2018), and *calls on* the parties to take those steps;

3. *Decides* to reduce the authorized troop ceiling to 4,140 until 15 May 2019, and *further decides* to reduce the troop ceiling by 295 troops following the commencement of the deployment of increased police personnel as set forth in paragraph 4, and *also decides* that as of 15 April 2019, the authorized troop ceiling shall decrease by a further 557 troops, unless it decides to extend the mandate modification set forth in resolution 2024 (2011) and paragraph 1 of resolution 2075 (2012), in accordance with paragraph 2 of resolution 2438 (2018);

4. *Decides* to increase the authorized police ceiling established in resolution 1990 (2011) to 345 police personnel, including 185 individual police officers and one formed police unit, *requests* the United Nations to take necessary steps to expeditiously deploy additional police in order to meet the new authorized police ceiling of 345, *demands* that the Governments of Sudan and South Sudan provide full support to UNISFA in the deployment of these personnel, including by promptly issuing visas, and *expresses* its intention to reduce the authorized police ceiling as the Abyei Police Service is gradually established and effectively providing rule of law throughout the Abyei area;

5. *Expresses* its intention to request the Secretary-General to appoint a civilian Deputy Head of Mission for UNISFA to support steps to implement the Agreement on Temporary Arrangements for the Administration and Security of Abyei Area and to achieve a political resolution to the status of Abyei, unless the Parties make progress towards a political solution;

6. *Expresses* its intention to continue revising as appropriate the configuration and mandate of UNISFA in light of recommendations from the Secretary-General, including recommendations contained in the 22 April 2018 and 20 August 2018 letters, and based on progress towards implementation of the Cooperation Agreements of 27 September 2012 and settlement of the final status of Abyei in a manner consistent with the CPA;

7. *Expresses* disappointment that the parties have taken few steps to implement the Agreement on Temporary Arrangements for the Administration and Security of Abyei Area and to achieve a political resolution to the status of Abyei, and *requests* the parties update the AUHIP and the Special Envoy of the Secretary-General for the Horn of Africa on the steps outlined below and invites the AUHIP and the Special Envoy of the Secretary-General to update it by 15 April 2019 on the steps taken towards the following:

1. Resolution of the final status of Abyei to include steps towards considering the 2012 proposal made by AUHIP, noting, in particular the AU Peace and Security Council (AUPSC) Communiqués of 24 October 2012, 26 October 2013 and 6 February 2018,

2. Implementation of all Abyei Joint Oversight Committee (AJOC) decisions, in accordance with the Agreement on Temporary Administrative and Security Arrangements for the Abyei Area of June 2011,

3. Steps the AU Commission has taken to submit to the AUPSC the findings and recommendations of the Abyei Area Joint Investigation and Inquiry Committee as requested by the AUPSC in its Communiqué of 31 July 2015, and steps taken to promote reconciliation and engagement of the Misseriya and Ngok Dinka communities;

8. *Urges* continued progress towards the establishment of the Abyei Area interim institutions, in accordance with the Agreement on Temporary Administrative and Security Arrangements for the Abyei Area of June 2011, *takes note*, in particular, that in the absence of an Abyei Police Service, UNISFA continues to be the only entity to provide policing services in response to matters of law and order, *further takes note* of the mapping exercise from 30 November 2017 to 2 February 2018 by UN Police in conjunction with UN Agencies, Funds and Programmes and traditional leaders of both communities for the eventual establishment of an Abyei Police Service, *recognizes* the appointment of relevant officials by the two governments to participate in a joint integrated planning exercise and development of a road map towards establishment of the Abyei Police Service, and *urges* the Governments of Sudan and South Sudan to participate in such an exercise by 15 April 2019;

9. *Encourages* the AUHIP and the Special Envoy of the Secretary-General to continue coordinating efforts to facilitate full implementation of the 2011 agreements, and *further encourages* UNISFA to coordinate with the AUHIP and the Special Envoy of the Secretary-General on reconciliation, community sensitization, and political peace processes;

10. *Welcomes* renewed efforts to determine conclusively the Safe Demilitarized Border Zone (SDBZ) centreline on the ground, and *reiterates* that the centreline of the SDBZ in no way prejudices the current or future legal status of the border, ongoing negotiations on the disputed and claimed areas, and demarcation of the borders;

11. *Underscores* that UNISFA's protection of civilians mandate as set out in paragraph 3 of resolution 1990 (2011) includes taking the necessary actions to protect civilians under imminent threat of physical violence, irrespective of the source of such violence, and in that regard *underlines* that peacekeepers are authorized to use all necessary means, which includes the use of force when required, in order to protect civilians under threat of physical violence, in accordance with mission mandates, the United Nations Charter and other applicable international law, and *stresses* the importance of continued and further engagement by senior mission leadership, with a view to ensuring that all mission components and all levels of the chain of command are properly informed of, trained for, and involved in the mission's protection of

civilians mandate and their relevant responsibilities; and *commending* UNISFA's efforts in that regard;

12. *Condemns* the intermittent presence of South Sudan security service personnel and the deployment of Diffra Oil Police units in the Abyei Area, in violation of the 20 June 2011 Agreement, as well as any entry of armed militias into the territory, and *reiterates* its demands that immediately and without preconditions the Government of South Sudan fully redeploy its security service personnel from the Abyei Area and that the Government of Sudan redeploy the Oil Police in Diffra from the Abyei Area, and *further reiterates*, in accordance with relevant resolutions, in particular resolution 1990 (2011) and resolution 2046 (2012), that the Abyei Area shall be demilitarized from any forces, as well as armed elements of the local communities, other than UNISFA and the Abyei Police Service;

13. *Urges* the two governments to take all necessary steps to ensure that Abyei is effectively demilitarized, including through disarmament programmes as necessary;

14. *Reaffirms* that UNISFA may undertake weapons confiscation and destruction in the Abyei Area as authorized under resolution 1990 (2011), consistent with its mandate and within its existing capabilities, in coordination with the signatories of the June 2011 Agreement on the Temporary Arrangements for the Administration and Security of the Abyei Area, the AJOC, and the Misseriya and Ngok Dinka communities and consistent with the previous AJOC decision to establish the Area as a "weapons free area";

15. *Requests* UNISFA to continue its dialogue with the AJOC and with the Misseriya and Ngok Dinka communities on effective strategies and oversight mechanisms for ensuring full compliance by all relevant parties with Abyei's status as a weapons-free area, and *calls upon* the Governments of Sudan and South Sudan, the AJOC, and the Misseriya and Ngok Dinka communities to extend full cooperation to UNISFA in this regard;

16. *Welcomes* UNISFA initiatives, to support community dialogue and efforts by the Misseriya and Ngok Dinka communities, such as peace committees, to strengthen intercommunal relationships and facilitate stability and reconciliation in the Abyei Area, and *invites* UNISFA to coordinate with the Juba-appointed administration in Abyei and the Misseriya administration in Muglad, using appropriate civilian expertise, to maintain stability, foster intercommunal reconciliation, and facilitate the return of displaced persons to their village and the delivery of services;

17. *Urges* the two Governments immediately to take steps to implement confidence-building measures among the respective communities in the Abyei Area, ensuring women are involved at all stages, including through reconciliation processes at the grass-roots level as well as through support for the ongoing efforts of non-governmental organizations engaging in peacebuilding, and by fully supporting UNISFA's efforts in promoting community dialogue;

18. *Underscores* that women's participation at all levels of intercommunity dialogue is critical to ensure a credible, and legitimate process and *calls upon* all parties to promote full and equal participation of women;

19. *Welcomes* UNISFA's continued efforts, within existing capabilities and resources, and in close coordination with the Misseriya and Ngok Dinka communities, to strengthen the capacities of Community Protection Committees in order to assist with management of law and order processes in Abyei, while ensuring the humane and dignified treatment of suspects and other detainees, and to continue engaging with both governments on this issue;

20. *Welcomes* the 14 November 2017 meeting of traditional leaders of Ngok Dinka and Misseriya communities, *calls upon* all parties to cooperate fully with the findings and recommendations following the Abyei Area Joint Investigation and Inquiry Committee's investigation into the killing of a UNISFA peacekeeper and the Ngok Dinka Paramount Chief, following the release of findings by the AU Commission, *welcomes* the 24 March 2015 AUPSC press statement requesting the AU Commission to engage the parties on the findings and recommendations, and looks forward to the release of the African Union Commission's report on the killing of the Ngok Dinka chief, as agreed to by the traditional leaders, and for the report to be used as a basis for reconciliation between the communities, bearing in mind the need to promote stability and reconciliation in the Abyei Area;

21. *Calls upon* all Member States, in particular Sudan and South Sudan, to ensure the free, unhindered and expeditious movement, to and from Abyei and throughout the SDBZ, of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles, aircraft, and spare parts, which are for the exclusive and official use of UNISFA;

22. *Renews* its call upon the Governments of Sudan and South Sudan to provide full support to the United Nations, including by promptly issuing visas to military, police and civilian United Nations personnel, including humanitarian personnel, without prejudice to their nationality, for entry into Sudan and South Sudan, facilitating basing arrangements, infrastructure construction, including the Athony airport, in the Mission Area and flight clearances, and providing logistical support, *calls upon* the Governments of Sudan and South Sudan to facilitate travel from within Sudan and South Sudan to and from Abyei, and *further calls upon* all parties to fully adhere to their obligations under the Status of Forces Agreements;

23. *Recognizes* that the absence of development projects and the inability to deliver basic government services has had an adverse effect on Abyei populations, *calls upon* the Government of Sudan and the Government of South Sudan, as well as donors to support road maintenance, general reconstruction, and capacity-building, and *welcomes* the call in the Secretary-General's letter (S/2018/778) for development projects that focus on reconciliation;

24. *Demands* that the Government of Sudan and the Government of South Sudan continue to facilitate the deployment of the United Nations Mine Action Service (UNMAS) to ensure freedom of movement, as well as the identification and clearance of mines in the Abyei Area and SDBZ;

25. *Further demands* that all parties involved allow all humanitarian personnel full, safe and unhindered access to civilians in need of assistance and all necessary facilities for their operations, in accordance with international law, including applicable international humanitarian law, and United Nations guiding principles of humanitarian assistance;

26. *Strongly urges* that all parties cease all forms of violence, human rights violations and abuses, violations of international humanitarian law, and, in particular violations and abuses of applicable international law committed against women and children;

27. *Requests* the Secretary-General to ensure that effective human rights monitoring is carried out, including of any sexual and gender-based violence and violations and abuses of human rights, including those committed against women and children, and *reiterates* its call upon the Government of Sudan and the Government of South Sudan to extend their full cooperation to the Secretary-General to this end, including by issuing visas to the concerned United Nations personnel;

28. *Requests* the Secretary-General to seek to increase the number of women in UNISFA, as well as to ensure the meaningful participation of women in all aspects of operations;

29. *Welcomes* UNISFA's progress identifying a Women and Child Protection Advisor and *calls* on the Governments of Sudan and South Sudan to promptly issue a visa for the advisor and facilitate travel within Sudan and South Sudan to and from Abyei and throughout the SDBZ;

30. *Welcomes* the initiatives undertaken by the Secretary-General to standardize a culture of performance in UN peacekeeping, and *reaffirms* its support for the development of a comprehensive and integrated performance policy framework that identifies clear standards of performance for evaluating all United Nations civilian and uniformed personnel working in and supporting peacekeeping operations that facilitates effective and full implementation of mandates, and includes comprehensive and objective methodologies based on clear and well-defined benchmarks to ensure accountability for underperformance and incentives and recognition for outstanding performance, and *calls* on him to apply it to UNISFA;

31. *Recalls* its Presidential Statement S/PRST/2015/22 and its resolution 2272 (2016) and *requests* the Secretary-General to take all necessary measures to ensure full compliance of UNISFA with the United Nations zero tolerance policy on sexual exploitation and abuse and to ensure that all personnel of the mission are vetted for history of sexual misconduct in the service with the United Nations and to keep it informed through his reports about UNISFA's progress in this regard, and *urges* troop- and police-contributing countries to take appropriate preventative action including predeployment awareness training, and to promote full accountability in cases of such conduct involving their personnel;

32. *Notes* the Secretary-General's efforts to ensure close cooperation among United Nations missions in the region, including UNISFA, the United Nations Mission in the Republic of South Sudan (UNMISS), and the African Union-United Nations Hybrid Operation in Darfur (UNAMID), as well as his Special Envoy for Sudan and South Sudan, and requests that he continue this practice including with the Special Envoy for the Secretary-General for the Horn of Africa;

Reporting

33. *Requests* the Secretary-General to continue to inform it of progress in implementing UNISFA's mandate, in one written report, no later than 15 April 2019 and include reporting on:

- the progress in reduction of troops and increase in police per paragraphs 3 and 4,
- the potential for an augmented civilian component in UNISFA to support the political process per paragraph 5,
- the movement of weapons into Abyei and the presence, destruction and confiscation of weapons within Abyei per paragraph 14,
- the steps that have been taken in line with paragraphs 28 and 30,
- results of human rights monitoring as requested in paragraph 27, including information, analysis, and data on violations and abuses of human rights,
- steps which the parties have taken per paragraphs 7 and 8,
- recommendations on revisions to UNISFA's configuration and mandate, based on consultation with all relevant stakeholders in order to create the space for a viable political process that would serve as an exit strategy,

- a summary of actions taken to improve mission performance and address performance challenges including lapses in leadership, national caveats that negatively affect mandate implementation effectiveness, and demanding operational environments;

34. *Requests* the Secretary-General to inform it of progress in implementing UNISFA's mandate, in a note, no later than 31 January 2019 and report on the progress in reduction of troops and increase in police per paragraphs 3 and 4;

35. *Decides* to remain actively seized of this matter.

United Nations S/RES/2446 (2018)

Security Council

Distr.: General
15 November 2018

Resolution 2446 (2018)

Adopted by the Security Council at its 8401st meeting, on 15 November 2018

The Security Council,

Recalling its previous resolutions and statements on the Central African Republic (CAR), in particular resolutions 2121 (2013), 2127 (2013), 2134 (2014), 2149 (2014), 2181 (2014), 2196 (2015), 2212 (2015), 2217 (2015), 2262 (2016), 2264 (2016), 2281 (2016), 2301 (2016), 2339 (2017), 2387 (2017), 2399 (2018), as well as resolution 2272 (2016), and its Presidential Statements S/PRST/2014/28 of 18 December 2014, S/PRST/2015/17 of 20 October 2015, S/PRST/2016/17 of 16 November 2016, S/PRST/2017/5 of 4 April 2017, S/PRST/2017/9 of 13 July 2017 and S/PRST/2018/14 of 13 July 2018,

Taking note of the Report of the Secretary-General of 15 October 2018 (S/2018/922) which builds on the findings and recommendations of the independent strategic review of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) conducted in June-September 2018,

Determining that the situation in the Central African Republic continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend until 15 December 2018 the mandate of MINUSCA as set out in resolution 2387 (2017);

2. *Decides* to remain actively seized of the matter.

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